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THE

SCOTS PEERAGE

FOUNDED ON WOOD'S EDITION
OF SIR ROBERT DOUGLAS'S

Peerage of Scotland

CONTAINING
AN HISTORICAL AND GENEALOGICAL ACCOUNT
OF THE NOBILITY OF THAT KINGDOM

EDITED BY

SIR JAMES BALFOUR PAUL, C.V.O., LL.D.
LORD LYON KING OF ARMS

WITH ARMORIAL ILLUSTRATIONS

VOLUME VIII

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1911

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EDITORIAL NOTE

THE death of the Rev. John Anderson, Curator of the Historical Department of H.M. Register House, which took place as the final pages of this, the last volume of the *Scottish Peerage* were passing through the Press, cannot be passed over unnoticed in this work. A profound Record scholar with a special knowledge of early charters, he was from the inception of the *Peerage* a loyal and able colleague of the Editor. Many of the best articles were from his pen, and whatever merits the work may have are largely owing to his diligence and learning. He lived to correct the proofs of the last article he wrote, the second last article in this volume. His death will be felt acutely by the many students of family history who resorted to him for advice and guidance, and to whom his varied stores of information were always open.

It is intended to publish, as soon as possible, a supplementary volume, containing a list of *corrigenda et addenda*, together with a full index to the work, which is in an advanced state of preparation.

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SOMERVILLE, LORD SOMERVILLE

THE name, which varies much in spelling, indicates a Norman origin, not improbably derived from a place called *Sémerville*, in the commune of Graveron-Sémerville, arrondissement [1] d'Evreux. In 1165 Walter de Somerville is certified to hold two knight's fees in Staffordshire.[2] Wichnour in Staffordshire, given by the Conqueror to Robert de Stafford, and the adjoining manor of Alrewas were early possessions of this family.[3] Their arms, azure, three eagles displayed between seven crosses crosslet fitchée or,[4] bear a remarkable resemblance to the arms of Lord Somerville.[5] On the failure of the male line of Wichnour in 1356, the Somerviles of Aston Somervile, Gloucestershire, who had been settled there as early as 1251,[6] became the chief of that name in England.[7] By the marriage of Thomas Somerville in the latter part of the fifteenth century to Joan, daughter and heiress of John Aylesbury of Edstone, Warwickshire, that estate was acquired by the Somerviles of Aston

[1] Here one *Guillelmus de Semervilla, armiger*, owned land in 1306; *Mémoires et Notes de M. Auguste Le Provost pour servir à l'histoire du Département de l'Eure*, Evreux, 1862-72, iii. 235. [2] Shaw's *Staffordshire*, i. 118. [3] *Ibid.*, 118, 126. [4] Seal of Philip de Somerville, No. 13583 of *Catalogue of Seals in Department of MSS. Brit. Mus.*, vol. iii., appended to a charter of date 1305. [5] *Infra*, p. 45. [6] Rudder's *Gloucestershire*, 241. [7] Dugdale's *Warwickshire*, 830.

Somervile and became their principal seat,[1] though they continued to possess Aston also till 1742, when both these estates passed into the hands of the Scottish branch of the family.[2]

A legend, which probably had its origin from a sculptured stone forming the tympanum of the porch of Linton church, narrates that a certain John or William Somerville got the lands of Linton in Roxburghshire for killing 'ane hydeous monster in the forme of a worme' by thrusting down its throat on the point of his spear an iron wheel to which were fastened burning peats.[3]

William de Somerville appears on record in Scotland for the first time in or about 1124, shortly after King David I. came to the throne, as a witness to the charter of Annandale granted to Robert de Brus.[4] He next appears in 1130 in a grant to the Abbey of Dunfermline, and thereafter at frequent intervals during King David's reign.[5] It was probably he who, between 1160 and 1163, gave three acres in Linton, with teinds, to Glasgow Cathedral.[6] He was probably the father of the

William Somerville who appears as witness to the Great Charter of Malcolm IV. to Kelso in 1159,[7] and other charters by the same King. This William held the lands of Carnwath, as it was with his advice that his son William granted the church of Carnwath with a portion of land, to Ingelram, Bishop of Glasgow, between 1164 and 1174.[8]

William de Somerville, son of the above, confirmed to Joceline, Bishop of Glasgow, between 1180 and 1189, the grant he had made to Bishop Ingelram of the church of Carnwath with half a carucate of land, a toft and croft, common pasturage and other privileges of the township.[9] In the reign of William the Lion one Grim, son of Guy, a waggoner of Roxburgh, granted to the Abbey of

[1] Dugdale's *Warwickshire*, 830. [2] *Infra*, p. 36. [3] *Memorie of the Somervilles*, i. 38-45, 64. [4] *Early Scottish Charters*, by Sir A. Lawrie. [5] *Ibid.*, *passim.* [6] *Reg. Epis. Glasg.*, i. 17. [7] *Liber de Calchou*, iii. [8] *Reg. Epis. Glasg.*, i. 45. [9] *Ibid.* The granter's seal bore the device of a lion erect with the legend *S. Willelmi de Somervilla*; *Ibid.*, Father Innes's note, p. cix; Cf. Riddell's *Peerage and Constit. Law*, 350 *note.*

Melrose a toft in Berwick for the salvation of his Lord, William de Somerville, and for the souls of himself and his ancestors, saving the service due to his said Lord.[1] He may have been the William de Somerville who died in 1242, and was buried at Melrose.[2]

The last mentioned William Somerville was succeeded by one or more persons of the same name; for a William de Somerville witnessed the resignation of the lands of Boncle in Berwickshire by Adam Spoth, in favour of Randolph of Boncle, 2 August 1247,[3] a conveyance by Roger Lardenarius in favour of William, son of Patrick, Earl of Dunbar,[4] and Christian Corbet his spouse;[5] two charters of the lands of Brunecnolleflat granted respectively by William Landels and his son John in favour of the monks of Melrose,[6] and discharge by Richard de Rule of 20s. a year payable from the same lands.[7] In June 1270 a William de Sumyrvil witnesses a charter by Henry de Halyburton of the lands of Molle to the monks of Kelso,[8] and on 20 April 1281 a person of the same name is said to have witnessed a bond of manrent between Sir Walter de Newbigging and Sir David Barclay of Towie, another of the witnesses being one John Somerville.[9] It was probably the same William Somerville who, according to the family historian, married Margaret, daughter of Walter of Newbigging.[10] His issue were probably:—

1. Thomas de Somerville.
2. *Margaret*, said to have been married to Sir Gillespic or Archibald Campbell of Lochawe.[11]

Sir Thomas de Somerville was one of the Barons at the Convention of Brigham on the Friday after the feast of St. Gregory, being that year 18 March, 1289-90, when the marriage of Princess Margaret to Prince Edward was proposed.[12] His name appears in *Ragman Roll* in 1296 as one of those swearing fealty to Edward I.,[13] being on 28 August of that year described as 'of Lanarkshire.' In October of the same year Herbert Maxwell, one of his Lanarkshire

[1] *Liber de Melros*, i. 20. [2] *Chron. de Mailros*, 155. [3] *The Douglas Book*, iii. 353. [4] See vol. iii. of this work, p. 254. [5] *Liber de Melros*, i. 239. [6] *Ibid.*, 244, 245. [7] *Ibid.*, ii. 677. [8] *Liber de Calchou*, i. 143. [9] *Memorie*, i. 76. [10] *Ibid.*, 64. [11] Vol. i. of this work, 319. [12] *Fœdera*, Record ed., vol. i. pt. ii. p. 730. [13] *Cal. Doc. Scot.*, ii. Nos. 749, 823.

vassals, is to have his lands restored to him.[1] On 24 May 1297 he was ordered to obey the instructions of Cressingham and Osbert of Spaldington.[2] He granted to the Abbey of Melrose relaxation from 6s. 8d. payable for a toft in Berwick, being described in the charter as *Thomas de Somervill, Miles, Dns. de Lynton.*[3] He was declared a rebel by the English King 1304, when Sir Robert Hastang made suit for the lands of Lyntone and of Carnewythe which belonged to him.[4] In 1308 his lands of Bathgate and Ratho were also forfeited.[5] He was probably the Thomas de Somerville who, with Alexander Stewart, Adam Gordon, William Soulis and other Scottish knights gave assistance to King Edward II. in the keeping of the Castle of Roxburgh, and received thanks for their fidelity,[6] but he probably died not long after that date. In 1304 his son and heir is referred to as the 'neveux' of Simon Fraser, but which of the three persons of that name it is difficult to say. Sir Thomas Somerville had issue, so far as known:—

1. William.
2. Thomas.

William[7] de Somerville was the next who is known to

[1] *Rotuli Scotiæ*, i. 27. [2] *Cal. Doc. Scot.*, ii. No. 884. [3] *Liber de Melros*, i. 312. [4] Palgrave, *Illust. Hist. Scot.*, i. 304. Contemporary with him was another William de Somerville who owned certain lands in Hedgeley, Northumberland (*Cal. Doc. Scot.*, ii. No. 736). On 10 January 1278-79 he was fined for being absent from an assize at Newcastle-upon-Tyne (*ibid.*, No. 148). On 12 May 1283 he gives half a mark for an assize (*ibid.*, No. 238). On the Wednesday after the feast of S. Valentine 1292-93 he witnesses at Scone a charter of William de Moravia of the patronage of Waleston (*Reg. Epis. Glasg.*, i. 202). On 16 May 1296 he and a John de Somerville, clerk, who had been made prisoners at the surrender of Dunbar Castle, were committed, the former to Corfe, and the latter to Conway (*Cal. Doc. Scot.*, ii. No. 742). On 10 October 1301 William Somerville was ordered to be exchanged (*ibid.*, Nos. 1243, 1244). His son, Sir John de Somerville, though residing in Scotland, where he possessed the lands of Clifton in Roxburghshire (Palgrave *ut cit.* 308), held the lands of Hedgeley by gift from his father, but forfeited them 27 April 1296 for adhering to Baliol (*ibid.*, No. 736). On his swearing fealty to Edward I. they were ordered to be restored to him, 14 March 1303-4 and 6 May 1304 (*ibid.*, Nos. 1481, 1594). He afterwards became a follower of Bruce (Barbour's *Bruce*, ii. 45), was taken prisoner at Methven (*ibid.*, 215; *Cal. Doc. Scot.*, ii. No. 1811), and hanged 30 August 1306, his lands being given to his valet (*ibid.*, No. 1823). [5] *Cal. Doc. Scot.*, iii. No. 67. [6] *Rotuli Scotiæ*, i. 114. [7] This may (by a misreading) be the origin of 'Walter' of the *Memorie of the Somervilles*, but their histories are different, and Walter seems to be wholly mythical.

have held the barony of Linton, which he did doubtless as the son of Sir Thomas. He is probably the same William Somerville who appears as an adherent of the English King in 1316 and 1318.[1] He was evidently still in the English service at his death shortly before Michaelmas 1336, and his lands of Linton were given by King Edward III. to his brother and heir Thomas,[2] thus implying that they were both adherents of England, as otherwise the lands would have been forfeited. William Somerville evidently had no surviving male issue, but he had a daughter, name not given, who in 1318 was a prisoner in Scotland.[3]

Sir Thomas Somerville succeeded his brother after Michaelmas 1336. He may be the Thomas Somerville who, in 1312, appears as an esquire in English service at Dundee.[4] He was a knight before 3 February 1350-51, when with other knights, he paid his share of £30 sterling to the Constable of England, at Lochmaben Castle.[5] He is said to have fought at Neville's Cross. He had letters of safe-conduct from the King of England to visit the shrine of St. Thomas of Canterbury on 4 November 1362, 26 April 1363, and 4 June 1364, and on 20 March 1366 he had a similar safe-conduct to the King's dominions both in England and elsewhere.[6] On 10 March 1369 he had another safe-conduct to the tomb of St. Thomas.[7] Thomas de Somyrvyle, Knight, of Glasgow diocese, had an indult to choose a confessor, 6 June 1372.[8] He married, first, Elizabeth, daughter of Sir James Douglas of Laudonia;[9] and, secondly, Maria de Waus, having obtained a papal dispensation June 1354.[10] He left issue:—

1. Sir William.
2. *Thomas*, who had from his father the lands of Gilmerton, Drum, and Gutters.[11] He was on the inquest at the service of his nephew in 1406.[12] He married Katherine Straton, second daughter of the Laird of Straton, but died without issue in 1412, when his lands returned to the main line.[13]

[1] *Rotuli Scotiæ*, 159, 188, 189. [2] *Cal. Doc. Scot.*, iii. 374. [3] *Rotuli Scotiæ*, i. 188. [4] *Cal. Doc. Scot.*, iii. p. 428. [5] *Ibid.*, iii. No. 1551. [6] *Fœdera*, C. and H., iii. pt. ii. 680, 697, 736, 788. [7] *Ibid.*, 862. [8] *Reg. Avoniensis*, 187, 60. [9] Vol. vi. of this work, 344. [10] Andrew Stuart's *Genealogical Hist. of the Stewarts*, 436. [11] *Memorie*, i. 134. [12] *Ibid.*, 152. [13] *Ibid.*, 134.

3. *John*, who may be the Master John Sommervill who witnessed a charter of Laurence de Hay, dominus de Eskyndy, with consent of Findlay de Hay, his son and heir, to John Clerk and Margaret, his wife, daughter of the granter, of the lands of Lonyanys, Inverness-shire, confirmed 30 November 1376.[1]

The *Memorie* assigns to Sir Thomas two daughters, one married to Sir John Sandilands of Calder, the other to Sir Lawrence Baird of Posso, but of neither marriage is there any evidence.

Sir William de Somerville of Linton and Carnwath was in his father's lifetime one of the hostages for the release of David II. by treaty 13 July 1354.[2] He was again a hostage on 16 August 1357,[3] and in the treaty concluded 3 October of the same year.[4] On 27 June 1371 he had a charter from Robert II. of half the barony of Manuel, in Stirlingshire, to himself and Katherine, his wife, on the resignation of Christian Crousar.[5] He appears to have granted, on 3 July 1386, 'a charter anent the foundation of a chappellanry of Sanct Michalis chapell of Cambusnethen.'[6] He died about 1400.[7] It was probably he who married, first, Katherine Halliday, heiress of Moffat; and, secondly, Giles, daughter of Sir John Herring of Gilmerton, having previously received from her father half the lands of Gilmerton for his influence in obtaining his pardon from the King for the burning of Gilmerton Grange and its inmates, as detailed in the *Memorie*.[8] His widow married, secondly, Sir William Fairlie of Braid.[9] Sir William Somerville had issue:—

1. Sir Thomas.[10]
2. *William*, ancestor of the Somervilles of Cambo. In 1421 and 1424 he was a witness to the mortifications aftermentioned granted by his brother to the priory

[1] *Reg. Mag. Sig.*, fol. vol. 128, No. 8; Robertson's *Index*, 118, No. 8. [2] *Fœdera*, iii. pt. i. 281. [3] *Ibid.*, 366. [4] *Ibid.*, 372. [5] *Reg. Mag. Sig.*, fol. vol. 91, No. 320, and 123 No. 21; Robertson's *Index*, 97, 320. [6] *Acta Dom. Conc.*, 392, 393. [7] *Carnwath Inventory*, Bundle 7, No. 2. [8] Vol. i. 93, 118-126, where both wives are assigned to a Sir Walter of whose existence there does not appear to be sufficient evidence; cf. Vere Irving's *Upper Ward of Lanarkshire*, ii. 493. [9] *Memorie*, i. 135. [10] There is a John with a wife Margaret Edmonston interpolated here in the *Memorie*, with her son Sir Thomas, and so on.

of Lesmahagow. He was probably the William Somerville, scutifer, who witnessed the charter of confirmation of the regality of Eskdalemuir by Archibald, Earl of Wigtoun and Longueville, to Melrose, dated 10 December 1422.[1]

Thomas de Somerville of Linton and Carnwath (commonly called first Lord Somerville, but *see infra* p. 9, where the numeration adopted requires the reducing by *one* of the number hitherto applied to each Lord), was born about 1370. In 1392 he had a charter from Robert iii. to himself and Janet Stewart, his wife, of the barony of Cambusnethan, in Lanarkshire, together with the corn rent due of old to the King, on the resignation of Sir Alexander Stewart of Darnley and Johanna, his wife. The holding was blench for a pair of gilt spurs.[2] On 26 February 1400-1 his charter of the lands of Newbigging, in favour of his cousin William Newbigging, was confirmed by Robert iii.[3] He was served heir to his father on 1 March 1406.[4] On 31 March 1421 he was bailie to Archibald, Earl of Douglas, Lord of Galloway and Annandale, in the lordship of Douglas.[5] On 7 August 1421 he granted to the priory of St. Machutus, at Lesmahagow, a dependency of the Abbey of Kelso, certain lands lying in his towns of Linton and Hoslaw, in the barony of Linton *in puram elemosinam*.[6] On 13 December 1423 he had a safe-conduct to England to meet James i., and was one of the guarantors of the treaty for his release, 28 March 1424.[7] On 20 April of the same year he granted a charter in favour of S. Michael's chapel of Cambusnethan.[8] In the same year he, with consent of William, his son and heir, founded the Collegiate Church of Carnwath for a provost and six prebendaries.[9] Of the church then built by him, the north transept, called St. Mary's or College aisle, alone remains, and is now used

[1] *The Douglas Book*, iii. 53. [2] *Reg. Mag. Sig.*, fol. vol. 198, No. 11; Robertson's *Index*, 151, 11. The old corn rent was ten chalders of wheat and ten of bear; *Reg. Mag. Sig.*, fol. vol. 15, No. 79. [3] *Carnwath Inventory*, Bundle 7, No. 2. [4] *Memorie*, i. 152. [5] *The Douglas Book*, iii. 242. [6] *Reg. Mag. Sig.*, 26 May 1427. [7] *Fœdera*, x. 309, 332. [8] *Acta Dom. Conc.*, 393, where he is called *William* Somervale, Lord of Carnwath. [9] Spottiswoode's *Religious Houses*, annexed to Keith's *Catalogue*, 466; cf. *Memorie*, i. 166.

as the mortuary chapel of the family of Lockhart of Lee and Carnwath. In June 1424 he granted, also with consent of William his son, an annualrent of ten merks from his lands of Manuel to a chaplain to say perpetual masses for the soul of Randolph Weir at the altar of St. Mary, in Lesmahagow, the patronage to be exercised by himself and Thomas Weir of Blackwood alternately.[1] On 13 January 1424-25 he granted to Robert Maxwell, son and heir of Herbert Maxwell, Knight, Lord of Carlaverock, and his wife Janet, daughter of John Forester of Corstorphine, a charter of the lands of Liberton in Carnwath, on the resignation of Herbert Maxwell, being therein described as cousin of Robert Maxwell.[2] On the return of James I. from captivity he was one of the few admitted to the King's confidence.[3] He was one of the consenters on the King's behalf to the partition of Hassington by Patrick of Dunbar, Lord of Beill, between the Abbot of Melrose and Walter of Haliburton on the Wednesday in Whitsun week 1428, being described as *Justice*.[4] In an Instrument of Perambulation of the lands of Gladsmuir on 25 September 1430 he is described as 'nobilis vir Thomas de Somervile Dominus de Carnwath ac Justiciarius Domini nostri Regis ex parte australi de Forth.'[5] As 'Thomas Dominus Somervile' he appears as one of the conservators of a truce with the English 15 December 1430.[6] He is, however, styled Thomas Dominus de Somervyle when he was one of the conservators of another truce 20 March 1438,[7] and on 13 October 1434, when he presided at the perambulation and definition of marches of the lands belonging to the nuns of North Berwick, he is described as Thomas Symmeruell, Lord of Carnebeith, Justiciary of the King south of the Forth.[8] He is also called Thomas de Somervile, dominus de Carnewithe, in a charter of 22 December 1439.[9] He attended the Parliament held at Perth on 10 January 1434-35 when he was elected and sworn one of the Lords Auditors.[10] He died in December 1444,

[1] *Reg. Mag. Sig.*, 3 June 1424. [2] *Ibid.*, 4 February 1424-25; *Book of Caerlaverock*, i. 140; ii. 425. [3] Tytler's *Hist. of Scot.*, 2nd ed. iii. 187. [4] *Liber de Melros*, ii. 520. [5] *Charters and Writs concerning the Royal Burgh of Haddington*, 1318-1543, by J. G. Wallace James, M.B., 1895. [6] Rymer's *Fœdera*, x. 487. [7] *Ibid.*, 695. [8] Notarial Copy of Notarial Instrument, *Laing Charters*, No. 113. [9] *Reg. Mag. Sig.*, 20 September 1440. [10] *Acta Parl. Scot.*, ii. 22.

and was buried at Carnwath. Before July 1391, during his father's lifetime, he married Janet Stewart, above-mentioned. He married again, in terms of a dispensation dated 2 November 1411, Elizabeth Keith, widow, successively, of Sir Adam Gordon of Huntly and Sir Nicholas Erskine of Kinnoull. She died about 1436. He is also said to have married Mary, daughter of Henry Sinclair, first Earl of Orkney.[1] He left issue:—

1. WILLIAM, first Lord Somerville.
2. *Thomas*, who received from his father the lands of Racklay in the barony of Carnwath, and his son, *James*, marrying the daughter and heiress of the Laird of Gladstanes, these lands came to the name of Somerville.[2]
3. *Mary*, said to have been married to Sir William Hay of Yester, who got with her the lands of Auchtermure 1427.[3]
4. *Giles*, married to Sir Robert Logan of Restalrig, receiving from her father the lands of Finnington, Becryhill, and Heathryhill in Cambusnethan.[4]
5. *Margaret*, married, first, in 1435, to Sir Roger Kirkpatrick of Closeburn, with issue.[5]
6. —— a daughter, said to have been married to Sir David Scott of Branxholm, with issue, but no evidence is forthcoming.

I. WILLIAM DE SOMERVILLE, described as son and heir of his father on 3 November 1421,[6] was served heir to his father in the baronies of Carnwath, Linton, and Cambusnethan, and in the lands of Gilmerton 10 June 1445.[7] He was created a Lord of Parliament between 28 June 1445, when he is styled William, Lord of Summerville, squire,[8] and 3 July 1445,[9] when he is described as DOMINUS SOMERVILLE. On 7 July 1449 he granted a charter of

[1] *Memorie*, i. 156 *note*; cf. vol.vi. of this work, 37 and 570. [2] *Memorie*, i. 175, 398. [3] *Ibid.*, 168, 169. [4] *Ibid.* [5] Nisbet's *Heraldic Plates*, 44; cf. vol. v. of this work, 51 *n*. 3, quoting Sir George Mackenzie's Pedigree, 50, where a somewhat mythical husband, Sir Thomas Ker of Kershaugh, has been assigned to her. [6] *Inventory of Wigtown Papers*, Scot. Record Soc., Nos. 248, 406. [7] *Memorie*, i. 178, where the obviously erroneous date of 1435 is given. [8] *Reg. Episcopatus Brechinensis*, i. 103. [9] *Acta Parl. Scot.*, ii. 59. He may have been Lord Somerville on 1 or 2 July, but this is not certain; *ibid.*, 60.

the lands of Newbigging to Sir Robert Livingstone and Margaret, his spouse.[1] He had a safe-conduct as commissioner to treat with England 16 October 1449, and was a conservator of truce on 15 November following. He had safe-conduct to England, 17 April 1451, as a commissioner to settle infractions of the truce; again on 5 July 1451, and again he is a conservator 14 August 1451, and finally on 23 May 1453.[2] Out of special favour to him the town of Carnwath was, on 2 June 1451, erected into a free burgh of barony, with right to have a cross and hold a market every Thursday.[3] He witnessed sixty-two charters of James II.[4] He died at Cowthally of a surfeit of fruit on 20 August 1456. He married Janet, daughter of Sir John Mowat of Stenhouse. She died within two years after her husband, and they were both buried in the college aisle of Carnwath church.[5] They had issue:—

1. JOHN, second Lord Somerville.
2. *Thomas*, of Plane, Stirlingshire, who, on 27 February 1449-50, had a charter to himself and his wife, Elizabeth de Airth, a widow, one of the heirs of Sir William de Airth of Plane, of the lands of Craigsquarter, part of the lands and barony of Plane, Carnock, and Glorat in Stirlingshire, and Fordale in Fife.[6] He has been identified as the 'Thom of Sumerwel' mentioned in the indenture between Robert, Lord Fleming, on the one part, and Gilbert, Lord Kennedy, and Sir Alexander Boyd of Duchall on the other, of date 10 February 1465, and probably was concerned with his brother, the second lord, in the abduction of James III.[7] He died before 2 April 1482,[8] survived by his widow, who was living 1 May 1511.[9] He had issue:—
   (1) *William*,[10] who died without issue before 31 May 1508.[11]
   (2) *David*, of Plane, married Christina Hepburn,[12] and had issue *Thomas* of Plane.[13] The barony of Plane remained in the possession of the family till 1634, when it was sold by James Somerville of Plane to Thomas Nicholson of Carnock.[14]

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1 *Carnwath Inventory*, Bundle 7, No. 3. 2 Rymer's *Fœdera*, xi. 242, 253, 283, 286, 300, 334. 3 *Reg. Mag. Sig.* 4 *Ibid.*, *passim.* 5 *Memorie*, i. 209. 6 *Reg. Mag. Sig.* 7 Tytler's *Hist. of Scotland*, 2nd ed., vol. iv. pp. 174, 176, and *note* G, p. 345, where the indenture is given at length. 8 *Reg. Mag. Sig.*, 18 April 1482. 9 *Ibid.* 10 *Ibid.*, 3 March 1458-59. 11 *Ibid.* 12 *Ibid.* 13 *Ibid.*, 27 November 1523. 14 *Ibid.*, 28 June 1634; cf. *Memorie*, i. 206, 207.

3. *Mary*, married to Ralph Weir of Blackwood, without issue.[1]
4. *Janet*, married to James, son and heir of William Cleland of that Ilk.[2]

II. JOHN, second Lord Somerville, was one of the leaders of the Scottish force which defeated the English at the battle of Sark 23 October 1449.[3] He is mentioned as a witness in an instrument of resignation on 4 June 1451, being described as son and heir-apparent of William, Lord Somerville.[4] On 22 October 1456 he was served heir to his father in Carnwath, Cambusnethan, and the fourth part of Stenhouse,[5] and in the half of Gilmerton.[6] On 11 June 1457 and 12 September 1459 he was a conservator of truce with England.[7] On 6 April 1459 he had a pardon under the Great Seal for forging the seal of his son-in-law's father, Lord Campbell, to a receipt for money, and on the 15th of the same month his twenty-pound land in the barony of Manuel, Stirlingshire, was granted to the Queen on his resignation.[8] He attended James II. at the siege of Roxburgh in 1460, where the King was killed.[9] He took part in the abduction of James III., then a boy of fourteen, from Linlithgow to Edinburgh on 9 July 1466, for which, with Lord Boyd and others, he was pardoned by Act of Parliament 13 October, confirmed by charter of 25 October of the same year.[10] He sat in the Parliament of 1469 as a Lord Baron.[11] In July 1474 he entertained the King at Cowthally when there occurred the incident of 'spits and raxes' told by his descendant.[12] On 26 November 1466 he granted a precept to infeft James Livingston in certain lands in Newbigging, and on 21 April 1477 there was a decree of Council against him at Livingston's instance declaring these lands free of recognition.[13] On 29 April 1477 he had, on his own resignation, a charter of Cambusnethan and half of Stenhouse to himself and his second wife.[14] Between 1473 and 1491 he frequently appears as a litigant.[15] He died in

[1] *Memorie*, i. 195, 205. [2] *Ibid.*, 195. [3] *Auchinleck Chron.*, 40. [4] *Reg. de Dunfermline*, 327. [5] *Memorie*, i. 211. [6] *Ibid.* [7] Rymer's *Fœdera*, xi. 393, 434. [8] *Reg. Mag. Sig.* [9] *Memorie*, i. 220. [10] *Reg. Mag. Sig.* [11] Lord Elibank's Protest, *infra* p. 35. [12] *Memorie*, i. 241. [13] *Carnwath Inventory*, Bundle 7, Nos. 6, 8. [14] *Reg. Mag. Sig.* [15] *Acta Dom. Conc.* and *Acta Dom. Aud. passim.*

November 1491 and was buried in the college aisle of Carnwath church.[1] He married, first, on 10 July 1446 (contract dated 20 February 1445-46[2]), Helen, daughter of Sir Adam Hepburn of Hailes, and sister of Patrick, first Lord Hailes,[3] by whom he had issue:—

1. WILLIAM, Baron of Carnwath,[4] born 1453 or 1456.[5] On 2 May 1477 he had a charter of the baronies of Carnwath and Linton and the superiority of Gilmerton, on the resignation of and subject to the liferent of his father.[6] He died *vitâ patris* between 18 May and 14 November 1491,[7] and was buried at Carnwath.[8] He is said to have married, first, on 13 June 1476, Marjory Montgomery, sister of Hugh, first Earl of Eglinton;[9] and, secondly, Janet, daughter of William Douglas of Drumlanrig, to whom he had been affianced as early as 12 October 1478.[10] She was afterwards married to Sir Alexander Gordon, younger of Lochinvar. He had issue:—

    (1) JOHN, third Lord.
    (2) HUGH, fourth Lord.
    (3) *Mary*, married to James Lockhart of Lee, and had issue.[11]

2. *Elizabeth*, married to Gillespic or Celestin, eldest son of Sir Duncan Campbell of Lochawe, first Lord Campbell.[12]
3. *Helen*, married to Sir John Jardine of Applegarth.
4. *Catherine*, married to George Lauder of Halton.[13]

The second Lord married, secondly, in March 1455-56, Mariota, daughter of Sir William Baillie of Lamington.[14] She survived him,[15] and married, secondly, Sir John Ross, first Lord Ross of Halkhead, who divorced her. She was alive January 1505-6.[16] By her he had issue:—

4. *Sir John* of Quothquan, first Baron of Cambusnethan,

[1] *Memorie*, i. 268. [2] *Ibid.*, 194. [3] Cf. vol. ii. 141. [4] *Acta Dom. Conc.*, 191. [5] *Memorie*, i. 274; *Acta Dom. Aud.*, 155, 165. [6] *Reg. Mag. Sig.* [7] *Acta Dom. Aud.*, 155, 165. [8] *Memorie*, i. 274. [9] Contract dated at Glasgow 1 April of that year, *Memorie*, i. 251; cf. vol. iii. of this work, 433; *Complete Peerage*, vii. 186. [10] *Acta Dom. Conc.*, 8, 247, 248. [11] Douglas's *Baronage*, 324, ii. 325, i. [12] Vol. i. 332. [13] *Acta Aud.*, 1482-83, MS. Reg. Ho.; *Reg. Mag. Sig.*, 25 August 1517. [14] *Memorie*, i. 211. [15] She is generally said to have married Humphrey Colquhoun of Luss, but this is a mistake, though at one time it was proposed that he should marry her daughter; see *post*, p. 15. [16] *Acta Dom. Conc.*, xvii. f. 182.

founder of the family of that name, which for a time rivalled the main line, born 1457. He had from his father, with his mother's consent, a charter of the barony of Cambusnethan under reservation of their liferent confirmed 20 July 1488.[1] His father at various times conveyed to him fully the half of his estates, a considerable part of Carnwath besides the ten-merk land of the manor of Roberton, with the lands of Kingledores in Peeblesshire.[2] He fought on the side of James III. at Sauchieburn and was taken prisoner; but he afterwards was an intimate friend of James IV., who came to his 'infare' at Cowthally,[3] when the great feasting gave rise to the nickname of the 'Pudding Somervilles.'[4] Gifts of horses, a crane and wild geese, plovers and live dotterels, are mentioned as having been presented by him to the King.[5] On 4 January 1500-1 he had a Crown charter of the ten-pound land of Prestwickshaws in Kyle-Stewart, Ayrshire, on the successive resignations of Thomas Somerville of Braxfield and Janet Somerville, with consent of her husband John Symington. On 17 March 1503-4 he had a Crown charter of part of Gilmerton, of an extent of forty-six merks six shillings and eightpence, which had been in the King's hands for sixty years, having reverted to the Crown by *disclamation*, and the gift of them to Cambusnethan was afterwards the cause of a tedious lawsuit.[6] On 13 March 1507-8 he had a Crown charter of certain lands in the barony of Carnwath, extending in all to a forty-pound land of old extent which had reverted to the King by *recognition*.[7] He was guardian to his nephews during their minority, and retained control of the imbecile third Lord after he came of age; and he is accused by the writer of the *Memorie* of having taken advantage of his position for his own aggrandisement; but in the same work he is credited with getting the holdings

[1] *Reg. Mag. Sig.* [2] Nisbet's *Heraldry*, ii. App. 276. [3] *Memorie*, i. 296 *et seq.* [4] *The Popular Rhymes of Scotland*, by Robert Chambers, 1826, p. 210, quoting an unpublished passage in the original preface to the *Memorie*. [5] *Accounts of Lord High Treasurer*, ii. 345; iii. 172, 187, 347; iv. 86, 346. [6] *Reg. Mag. Sig.*; *Memorie*, i. 281 *et seq.*; cf. *infra*, p. 23. [7] *Reg. Mag. Sig.*

of Carnwath and Linton changed from *ward* to *blench*.[1] He fell at Flodden 9 September 1513.[2] He married, 3 July 1489, Elizabeth, daughter of John Carmichael of Balmeadie by Elizabeth or Isabella Sibbald, widow of George, fourth Earl of Angus,[3] and had issue:—

(1) *John*, second Baron of Cambusnethan, called *Red Bag*, from his wearing a pouch covered with red satin to hold his hawk's meat.[4] On his first marriage he had a charter from his father of the lands of Gilmerton and Gutters, except the lands and place of Drum.[5] He was served heir to his father, and infeft in his estate in 1515.[6] Buchanan describes him as *Juvenis nobilis et magni animi*, and says that he led the attack on Sir James Hamilton at the raid of Jedwood Forest in 1519, slew five of the Hamiltons, and put the rest to flight.[7] He was prominent also at *Cleanse the Causeway*, for which his estates were declared forfeited 7 April 1522, but restored on 3 August 1525.[8] After his father's death he acted in name of his cousin, the third Lord.[9] He died in 1553,[10] having married, first, Janet, daughter of Adam Hepburn of Crags. In 1515-16 this marriage was declared null, but the children legitimate.[11] He married, secondly (contract 10 July 1510), Margaret Graham, daughter of William, first Earl of Montrose,[12] and had issue.

(2) *William* of Tarbrax.

(3) *Mary*, said to have been contracted to William, second Earl of Montrose, but the marriage never took place.[13]

(4) *Margaret*, married to John Nisbet of Dalzell.[14]

(5) —— a daughter, married to John Hamilton of Newton, who purchased from Hugh, fourth Lord Somerville, the lands of Tweedie and the five-merk land of old extent of Catcastle, in the barony of Stenhouse.[15] He died in 1535. From this marriage Sir Frederick Harding Anson Hamilton, Bart., of Silverton Hill, Lanarkshire, and Avon Cliff, Stratford-on-Avon, is said to be descended.[16]

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[1] Vol. i. 304. [2] *Exch. Rolls*, xix. 468. [3] *Memorie*, i. 297; Nisbet's *Heraldry*, ii. App. 276. [4] *Memorie*, i. 305. [5] Confirmed 13 March 1511-12, *Reg. Mag. Sig.* [6] Nisbet's *Heraldry*, ii. App. 276. [7] *Opera*, Edin., 1715, folio, p. 261. [8] *Acta Parl. Scot.*, ii. 298. [9] *The Douglas Book*, iv. 78, 79, 79-82. [10] *Memorie*, i. 415. [11] *Lib. Officialis S. Andree*, 7; cf. vol. ii. of this work, 150. [12] Vol. vi. of this work, 226. [13] *Memorie*, i. 306; vol. vi. of this work, 228. [14] *Laing Charters*, 296. [15] Douglas's *Baronage*, 425, i.; *Reg. Mag. Sig.*, 26 March 1531. [16] Burke's *Peerage*. The writer of the Appendix to Nisbet's *Heraldry*, ii. 276, gives two other daughters, Elizabeth, married to Robert Dalzell of that Ilk, and Helen, married to Robert Boyd of Kilmarnock (see vol. v. of this work, p. 155), both of whom, he says, left issue, but there is no corroborative authority for these. Besides these, he says the first Baron of Cambusnethan had two other lawful sons, *Michael* and *James*, who are witnesses to a charter by Lord Somerville to Chancellor of Shieldhill, 12 September 1508, but whether these had issue or were married does not appear.

5. *Marion*, married, as his second wife, to Allan, son of Sir Stephen Lockhart of Cleghorn, and had issue.[1]
6. *Alison*, contracted to Humphrey Colquhoun of Luss, but the marriage did not take place.[2]

The second Lord had also by one of his wives:—

7. *Giles*, married to Thomas Weir of Blackwood. On 12 October 1483 she had sasine of the five-merk land of Broughton in Peeblesshire, also of the lands of Mossmening in the barony of Lesmahagow in lieu of the tocher given with her by her father.[3]

III. JOHN, third Lord Somerville, born about 1484.[4] On 16 December 1491 he was served heir to his grandfather in some lands in Newbigging. On 8 April 1500 he was served heir to his father in the lands of Gilmerton.[5] On 13 March 1507-8 he had a charter of the barony of Carnwath except that part granted by charter of same date to his uncle, Sir John of Quothquan and Cambusnethan.[6] Here for the first time appears the *reddendum* of a pair of hose containing half an ell of English cloth to be given to the fastest runner from the east end of the town of Carnwath to the cross called Cawlo Cross. Being of weak intellect, the custody of the third lord was a subject of dispute between his brother, afterwards the fourth Lord, and his uncle, Sir John of Quothquan, whose widow and son *Red Bag* also maintained the right.[7] On 27 May 1508 he infeft John, Lord Maxwell, in the lands of Liberton in the barony of Carnwath.[8] It was in his time, according to the *Memorie*, that Linton was sold to the Kers[9] though it continued to figure in the titles of the lordship even after Ker of Littledean's Crown charter of 1594.[10] He died before 27 October 1522, having married Agnes, daughter of Humphrey Colquhoun of Luss. She appears as his widow in 1525 and 1528.

IV. HUGH, fourth Lord Somerville, born about 1486.[11] Before succeeding his elder brother he attached himself to

[1] Lang's *Life of John Gibson Lockhart*, i. 6; Nisbet's *Heraldic Plates*, 18, says Sir Stephen himself. [2] Protocol Book of James Young, 13 February 1492-93. [3] Douglas's *Baronage*, 154, i. ii. [4] *Memorie*, i. 274. [5] *Ibid.*, 276, 278. [6] *Reg. Mag. Sig.*; cf. *supra*, p. 13. [7] *Rec. Parl.*, 23 November 1513, p. 534. [8] *Book of Caerlaverock*, i. 165. [9] *Memorie*, 168, 304. [10] *Infra*, seventh Lord. [11] Fraser's *Chiefs of Colquhoun*, i. 69, 70; see also *Acta Dom. Conc.*, xiii. 143.

the Hamilton faction in opposition to his uncle Sir John of Quothquan, who was an adherent of the Douglases.[1] Having got the management of the lordship, he took up his residence at the tower of Carnwath, where he built the market-cross.[2] On 27 October 1522 he was served heir to his brother, the third Lord, in the lands of Carnwath.[3] After coming into possession he made large additions to Cowthally.[4] He sat in Parliament 16 November 1524 and 22 February 1524-25.[5] In 1522 and 1523 he had sasine of the barony of Carnwath and of the half of Stenhouse, and patronage of the church of Muirhall. In 1525 he had sasine of Linton and the patronage of the church.[6] He had from his father-in-law James, Earl of Arran, a charter of Drum, Gutters, Gilmerton, Carnwath and certain other lands in the counties of Edinburgh and Lanark.[7] On 21 July 1529 he had a charter of Carnwath under the Great Seal.[8] On 10 April 1538 he had a Crown charter of Linton with the patronage of the church in succession to his brother: the *reddendum* being a red rose and five merks of *castle-wards*.[9] He is the first-named witness in the instrument of protest, of date 27 November 1539, at the instance of Dunbar, Archbishop of Glasgow, against Cardinal Beaton's erecting and carrying his cross at Dumfries in the diocese of Glasgow.[10] On 31 December 1540 he received from the King for a large composition the forty-pound land of Liberton in the barony of Carnwath which had been held of himself by Finnart, and had come to the Crown by Finnart's forfeiture.[11]

When James v. threw off the Douglas domination in 1528 Lord Somerville joined him at Stirling, and for the rest of his reign was a favourite at Court. Certain disputes between himself and his cousin of Cambusnethan were settled by the King as arbiter under a submission dated 30 May 1532.[12] With many other Scottish nobles Lord Somerville

[1] *Memorie*, 314, 315. [2] Not the present one which is figured on plate 95 of *Scottish Market Crosses*, by John Small, 1900. [3] *Carnwath Inventory*, Bundle 1, No. 3. [4] *Memorie*, i. 322, 332, 354. [5] *Acta Parl. Scot.*, ii. 285, 288. [6] Responde, dated 23 September; *Exch. Rolls*, xv. 603, 604, 636. [7] Composition paid 1524, *Accounts of Lord High Treasurer*, v. 172. [8] *Carnwath Inventory*, Bundle 1. No. 7. [9] *Reg. Mag. Sig.*; *Exch. Rolls*, xviii. 495. [10] *Reg. Epis. Glasg.*, 553. [11] *Reg. Mag. Sig.*, under date of charter and 3 January 1538-39. [12] *Memorie*, i. 372.

was taken prisoner at Solway Moss, on 24 November 1542, and detained in England till the next year. His income was estimated at 400 merks, and he was ordered to be released 1 July 1543.[1] His ransom was fixed at 1000 merks, and his eldest son became hostage for him. During his captivity he and several of his fellow-prisoners engaged to further the designs of Henry VIII., even so far as the delivery of the Scottish strongholds to England.[2] After his return to Scotland he acted in concert with the Earl of Angus, Sir George Douglas, and the other Scots Lords in the pay of Henry, and received money himself from the same source.[3] He attended the meeting of the party held at Douglas Castle on 25 October 1543, and was appointed to proceed to England and report their minds to the King,[4] but on 1 November he and Lord Maxwell, another of the party, were apprehended by command of the Governor, the Earl of Arran, and imprisoned in Edinburgh Castle. He was afterwards removed to Blackness, Arran declaring that the letters found in his possession contained no less than high treason.[5] He was at liberty again on 2 April 1544.[6] In June 1544 he joined in the agreement by the principal Scots nobility to support the Queen-mother as Regent against the Earl of Arran.[7] In the same year he shared the rout of the Scottish army at the siege of Coldingham.[8] He was at the convention of the nobility held at Stirling on 10 June 1546 after the murder of Cardinal Beaton,[9] and acted in rotation as one of the four members of council to be always present with the Governor.[10]

He was, however, a Protestant [11] and still adhered to the English interest. On 21 March 1548-49 he writes from Cowthally to Wharton assuring him of his devotion to England, which would have lost him his head but for Argyll, 'that is comit of my hous.' The Governor then took 'ane stone house' and forty-pound land and still withheld them, and 'gert sla the person of Liberton quhilk

[1] Rymer's *Fœdera*, xiv. 797. [2] *The Hamilton Papers*, i. 376. [3] *Ibid.*, i. 526; ii. 165, 169, 180; Sadler's *State Papers and Letters*, i. 178. [4] Sadler to Henry, 30 October 1543, *The Hamilton Papers*, ii. 132. [5] Sadler to Suffolk and Tunstall, 10 November 1543, *ibid.*, 151. [6] Hertford to Henry, *ibid.*, 321. In these volumes and in Sadler's *Letters* there is frequent mention of him. [7] Tytler's *Hist.*, 2nd ed., v. 364. [8] *Ibid.*, 311. [9] *Ibid.*, vi. 4 *note*. [10] *P. C. Reg.*, 10 July to 10 August 1546, 19 March 1546-47. [11] Tytler, v. 338.

was the best of my name next myself herfor.' He represents himself as strongly opposed to the Governor, but 'his frendis legis so ner me that thai mycht desstroy my boundis in half ane day,' and adds 'I would you would let my son come home for twenty days upon sureties that he might ger me ken your mind herein.'[1] The son referred to was probably the one taken prisoner by the English in a skirmish near Drumlanrig.[2] He died in 1549,[3] and was buried in Carnwath Church, where his tomb still remains. Suffolk and Tunstall describe him as a poor man, needing help in his necessity.[4] He had lived extravagantly, spending large sums on Court dress, to pay for which on one occasion, his descendant says, he sold to the Hospital of St. Mary Magdalene in Edinburgh two annualrents of £40 and £20 from the lands of Carnwath.[5] He also entertained the King with the lavish hospitality for which Cowthally had already been remarkable, gaining for it among the common people the name of *Cow-daily*.[6] He married, first, on 20 December 1510, Anne Hamilton, natural daughter of James, first Earl of Arran; but she and two sons she bore him died of smallpox in 1516. (*See title* Hamilton.) He married, secondly, Janet, daughter of William Maitland of Lethington.[7] She died after 15 August 1559,[8] and was buried in the same tomb as her husband, having had issue:—

1. JAMES, fifth Lord.
2. *John*, styled of Broomhill.[9] He expressed a desire to have his elder brother home from England to avenge his father's apprehension.[10] He was parish clerk of Quothquan, and in the feud between the Somervilles and the Lindsays was, with others, replegiated by the Archbishop of Glasgow on 22 November 1555 to underlie the law for hindering John Lindsay of Covington from coming to the head court of the shire of Lanark and for wounding Covington's natural

[1] *Cal. of State Papers relating to Scotland* (Bain), i. 173. [2] Lennox and Wharton to Somerset, 25 February 1547-48, *ibid.*, 82. [3] *Acta Dom. Conc. et Sess.*, xxv. f. 82. [4] 23 November 1543, *Hamilton Papers*, ii. 180. [5] *Memorie*, i. 389; *Reg. Mag. Sig.*, 30 January 1540-41, 4 December 1541. [6] *Memorie*, i. 12, 299 *note*. This shows that then, as now, in Carnwath, the name of the castle was pronounced *Couthaily*. [7] Cf. vol. iv. of this work, 364. [8] *Exch. Rolls*, xix. 449. [9] *Acts and Decreets*, DCCXXVI. 229. [10] Sadler to Suffolk and Tunstall, 10 November 1543; *Hamilton Papers*, ii. 152.

brother; the Earl of Angus being his surety. Covington in his turn was, with others, convicted of invading him for his slaughter.[1] In the convention of July 1567 he was arraigned on a charge of treason as accessory to the murder of Darnley and the abduction of the Queen.[2] He died after 1583.[3]

3. *Hugh*, founder of the family of Spital, which was next in importance after Cambusnethan,[4] and took its name from a forty-shilling land near where Carnwath burn meets the South Medwyn.[5] He married a daughter of John Tweedie of Drummelzier,[6] with issue.
4. *Robert*, who came to the Queen's will on 28 November 1555 for hurting and wounding John Lindsay, natural brother of the Laird of Covington.[7] He died before 5 March 1590-91, leaving a son Hugh.[8]
5. *Michael.*[9]
6. *William*, vicar of Kirkbean.[10]
7. *Margaret*, married to Charles Murray of Cockpool (contract dated 2 January 1547 [11]), from whom she had a charter of the ten-pound land of Arbigland in liferent.[12]
8. *Agnes*, married, in 1533, to John, son and apparent heir of James Tweedie, son and apparent heir of John Tweedie of Drummelzier, and with her husband had a charter from his grandfather of the ten-pound land of Hopcailzo.[13] The King was present at the marriage.[14] She was married, secondly, probably as his second wife, to William Murray of Romanno, who afterwards married Helen Henderson.[15]
9. *Elizabeth*, married, in 1541, to John Carmichael of that Ilk.[16] She had a charter from him of the ten-pound land of Netherton of Carmichael in liferent,[17] and had issue.

[1] Pitcairn's *Criminal Trials*, i. 383*. [2] *Acta Parl. Scot.*, iii. 6. [3] Protocol Book of James Harland, fol. 235b. [4] *Memorie*, i. 457. [5] *Orig. Par.*, i. 126. [6] *Memorie*, i. 406. [7] Pitcairn's *Criminal Trials*, i. 383*. [8] *P. C. Reg.*, iv. 593. [9] *Acts and Decreets*, xxv. 203. [10] *Reg. of Deeds*, xxxviii. 194. [11] *Acta Dom. Conc. et Sess.*, xxvi. 36. [12] Confirmed 29 January 1547-48, *Reg. Mag. Sig.* [13] Confirmed 17 December 1533; *Reg. Mag. Sig.* [14] *Memorie*, i. 385. [15] *Genealogist*, new ser., xi. 194. [16] Vol. iv. of this work, 577. [17] Confirmed 27 June 1541, *Reg. Mag. Sig.*

10. Some affirm a daughter married to Sir James Lindsay of Pittardie.[1]

V. James, fifth Lord Somerville, born about 1518. On 14 April 1536 he had a charter of Carnwath from his father, and was infeft therein same month.[2] In March 1542-43 he went to England as a hostage for his father, at whose urgent request, representing him 'very sick of the stone . . . which disease he had by kind,'[3] he was released, and returned to Scotland before 2 April 1544. He is said to have told Angus he would stand by him whatever understanding his father had with Arran. He is described by Suffolk as 'not a most personable man, but noted to be a man of courage by those that know.'[4] He was present at the flight from Coldingham on 30 November 1544.[5] In 1549-50 he had sasine of Carnwath in succession to his father.[6] On 19 March of that year he granted a precept of clare constat to William Livingston of certain lands in Newbigging.[7] He resigned the lands of Blackpool and Blackcastle and the eastern half of Auchingray in the barony of Carnwath, receiving, on 25 July 1550, a new charter to himself and his wife.[8] In the same year he had sasine of Linton.[9] On 16 February 1552 he granted a charter of the lands of Liberton to Sir James Hamilton of Craufurdjohn.[10] On 22 November 1555 William Baillie of Bagbie and others were replegiated by the Earl of Morton to his regality of Dalkeith, to underlie the law for invading Lord Somerville for his slaughter on 1 October of that year. In the feud with the Lindsays above referred to (pp. 18, 19) Lord Somerville became surety for many of the accused.[11] In 1559 he had sasine of Braxfield, subject to his mother's liferent.[12] He was one of the principals for the Queen-Regent's party at the communing at Preston,[13] but he signed the bond of the Scottish nobility of 27 April 1560 to set forward the reformation of religion, to expel the French and take part with the Queen of England's army sent for that purpose.

[1] *Memorie*, i. 408. [2] *Carnwath Inventory*, Bundle 2. [3] Sadler's *State Papers and Letters*, i. 182, 183. [4] *Hamilton Papers*, i. 473; ii. 164, 177. [5] *Diurnal of Occurrents*, 36. [6] *Exch. Rolls*, xviii. 489. [7] *Carnwath Inventory*, Bundle 7, No. 11. [8] *Reg. Mag. Sig.* [9] *Exch. Rolls*, xviii. 495. [10] *Carnwath Inventory.* [11] Pitcairn's *Criminal Trials*, i. *369, *382, *383 [12] *Exch. Rolls*, xix. 449. [13] Knox's *Hist.*, i. 369.

He was also one of the nobles who ratified the treaty of Berwick on 10 May 1560. He joined in the proposal for a marriage between Elizabeth and Arran, and was present at the siege and surrender of Castle Semple;[1] but he dissented from the Acts of 1560 establishing the Protestant religion, saying with Athole and Borthwick that he would believe as his fathers believed.[2] On 5 September 1565 he signed the bond of the Lords and Barons of the west country to serve the King and Queen and the Earl of Lennox their lieutenant, and in the expedition against Moray and the other rebel Lords, he was, on 10 October, appointed to accompany the King in command of the rearguard.[3] He signed the Hamilton bond of 8 May 1568,[4] and joining the Queen's army with three hundred men, fought at Langside, where he was severely wounded.[5] With Argyll and other Lords he wrote to Elizabeth on 28 July and 24 August, urging the release of the Queen of Scots, and to the Duke of Alva on 30 July 1568, begging him to obtain his master's intervention to the same end.[6] He died at Cowthally in December 1569,[7] and was buried in Carnwath Church, being the last Lord Somerville there interred.[8] He married, first, in or before 1529, Jean, natural daughter of James, first Earl of Arran, but by her he had apparently no issue;[9] secondly, Agnes, daughter of Sir James Hamilton of Finnart. She had a grant of the liferent of the four-pound land of Moshat and others.[10] By her, who long survived him, he had issue:—

1. HUGH, sixth Lord Somerville.
2. *James*, styled of Girdwood,[11] who had some lands in Carnwath Moor given to him for his patrimony.[12] On 7 January 1595-96 there is a complaint against him by James Durham for breaking into his barn and taking goods and gear furth thereof.[13] He may be the James Somerville, brother to the Laird of Covington, accused with Covington and others of cruelly hurting

[1] *Cal. of State Papers relating to Scotland* (Bain), i. 383, 403, 465, 490. [2] Laing's *Knox*, vi. 117, but cf. the editor's note, and vol. ii. of this work, 110. [3] *P. C. Reg.*, i. 363, 379. [4] *Cal. of State Papers*, ii. 403. [5] *Memorie*, i. 423-425. [6] *Cal. of State Papers*, ii. 468, 469, 488. [7] Funeral entry in Lyon Office. [8] *Memorie*, i. 440. [9] Vol. iv. of this work, 365. [10] Confirmed 9 April 1536, *Reg. Mag. Sig.* [11] *Reg. Sec. Sig.*, lxxvi. 201. [12] *Memorie*, i. 439. [13] *P. C. Reg.*, v. 670.

a servant of Mr. John Somerville, Rector of Liberton, 16 November 1554.[1] He married a daughter of Lindsay of Covington, by whom he had, with other issue,

John, minister of Ednam 1640, who by his wife, Margaret Knox,[2] had issue.

From this James, second son of the fifth Lord, the Somervilles of Drishane, co. Cork, claim descent.[3]

3. *Margaret*, contracted, 23 November 1563, to Alexander Jardine, younger of Applegarth,[4] but it is probable the marriage did not take place, as the *Memorie* says she was hypochondriac, and died unmarried.
4. *Agnes*, married (contract 8 August 1567[5]) to Somerville of Plane, and had issue.
5. *Hugh*, probably illegitimate, of Wolfroddis, died in August 1608.[6]

VI. Hugh, sixth Lord Somerville, born 1547.[7] After the assassination of the Regent Moray he was present at the convention of the Lords of the Secret Council on 3 March 1569-70.[8] On 4 April 1570 he was served heir in general to William, Master of Somerville, his great-grandfather, and heir in special to his father in Carnwath.[9] On 9 April 1570 he was present at the meeting of the Lords of the Queen's party held at Linlithgow.[10] He is among the 'Papist' Lords in 'Note of Protestants and Papists' in 1570.[11] In 1570-71 he signed several of the letters negotiating for the Queen's restoration.[12] On 3 June 1571 he was present at the Parliament of her adherents held in Edinburgh.[13] Yet in a 'List of Nobility,' endorsed by Burghley August 1571, he is described as neutral.[14] On 20 November 1572 he was at the convention held at Edinburgh for the choice of a Regent,[15] and at the Parliament begun on 15 January thereafter,[16] and is included by Killigrew among those whom the Regent

[1] Pitcairn, i. *369. [2] *Fasti Eccl. Scot.* [3] Burke's *Landed Gentry of Ireland*, 1904, p. 559. [4] *Reg. of Deeds*, viii. 71. [5] *Ibid.*, vii. 459. For other descendants of the fifth Lord, see *Bengal, Past and Present*, ii. 157. [6] Lanark Tests. [7] 'The Present State of the Nobility in Scotland,' 1 July 1592, printed in Tytler's *Hist.*, ix. 376. [8] *Cal. of State Papers* (Boyd), iii. 117. [9] *Carnwath Inventory*, Bundle 2, Nos. 3, 4. [10] *Diurnal of Occurrents*, 168. [11] *Cal. of State Papers*, iii. 459. [12] *Ibid.*, *passim*. [13] *Ibid.*, 604. [14] *Ibid.*, 667. [15] *Ibid.*, iv. 434. [16] *Ibid.*, 463, 465, 467, 468.

Morton shall have to assist him at the coming in of the English army.[1] On 31 January 1573-74 he was admitted to the benefits of the Pacification of Perth, granting bond for £10,000, with Andrew, Earl of Rothes, and John Somerville of Cambusnethan as cautioners. In 1573 he had sasine of Carnwath,[2] and of Linton in 1575.[3]

In an account of the Peers of Scotland in 1577 he is described as 'a nobleman of pretty living, his power not great.'[4] In 1578 he recovered the lands of Drum, Gilmerton and Gutters after a long litigation with the Cambusnethan family, his success being attributed by his descendant to a bribe discreetly administered to Regent Morton.[5] On 1 June 1581 he was on the assize for the trial of Morton for the murder of Darnley.[6] On 19 October 1583 a complaint was made to the Privy Council against him and others of his name for invading the lands of John Somerville of Tarbrax. He was at the convention of Estates on 7 December 1583 when the Raid of Ruthven was declared a crime of *lèse majesté*,[7] and on 4 May 1584 he was on the assize at the trial of the Earl of Gowrie for that crime.[8] In 1584 and 1585 he built the house of Drum, and in 1586 he altered and repaired Cowthally.[9] On 24 May 1589 he was on the assize for the trial of the Earls of Huntly, Crawford, and Bothwell.[10] On 6 March 1589-90 he was one of the commissioners in the shire of Lanark and Clydesdale for executing the Acts against the Jesuits and seminary priests. On 31 July 1590 he was denounced rebel in absence for oppressing the tenants of John Somerville of Cambusnethan, between whom and himself there had been 'great pleyes and cummer anent the lands of Gilmerton.'[11] In August 1590, in obedience to the General Assembly, he undertook that in future no market should be held at Carnwath on the Sabbath.[12] On 2 February 1590-91 he bound himself, under reservation of his own liferent, to infeft his eldest son William, Master of Somerville, in all his lands, except those in Lothian; and on 22 March of the following year he confirmed the obligation in favour of his son Gilbert, who had succeeded his

[1] 4 April 1573, *Cal. of State Papers*, 538. [2] *Exch. Rolls*, xx. 446-447. [3] *Ibid.*, 490. [4] *Cal. of State Papers*, v. 260. [5] *Memorie*, i. 451, 454. [6] Pitcairn, i. 114. [7] *P. C. Reg.*, iii. 600-601, 613. [8] Pitcairn, i. 116. [9] *Memorie*, i. 461, 462. [10] Pitcairn, i. 178. [11] *P. C. Reg.*, iv. 465, 516-517. [12] *Memorie*, i. 475.

brother in the mastership.[1] His obligations under these deeds were afterwards the subject of arbitration between himself, the Master, and Hugh, his next surviving son, and the decree, dated 19 April 1593,[2] being in the Master's favour, was much resented by the father and younger son.[3] He died on 24 March 1597, at Raploch, the house of Gavin Hamilton, father-in-law of his son Hugh, and was buried in the choir of the old church of Cambusnethan. In 1554 he was contracted to Mary, daughter of Robert Beaton of Creich, but the marriage did not take place.[4] He married (contract 11 January 1557-58[5]) Eleanor Seton, daughter of George, fourth Lord Seton, but separated from her for no reasonable cause in 1587. She sued him for adherence and aliment and obtained decree in the latter action on 11 June 1588.[6] She afterwards lived at Tranent and, dying about 1603, was buried in the Chapel of Seton.[7] Issue:—

1. *William*, Master of Somerville, born about 1566. On 26 January 1587-88 he had a remission for having accidentally killed his brother Robert.[8] He died, unmarried, in January 1592.[9]
2. *Robert*, unmarried, accidentally shot dead by his brother William in July 158–.[10]
3. GILBERT, seventh Lord.

4 to 9. Six sons, of whom only one attained manhood.[11]

10. HUGH, eighth Lord.
11. *Jean*, married (contract 22 July 1588[12]) to Robert Hamilton of Stoneypath.
12. —— a daughter, married to Thomas Somerville of Lanark.
13. *Elspeth*.[13]
14. *Janet*, buried January 1614.[14]

15, 16. Two children who predeceased their father.[15]

He had two illegitimate children, *James* and *Robert*, both by Jean Somerville, wife of David Lindsay, hatmaker, burgess of Edinburgh.[16]

[1] *Memorie*, i. 474, 481. [2] *Carnwath Inventory*, Bundle 7, No. 7. [3] *Memorie*, i. 495. [4] *Acts and Decreets*, x. 138. [5] *Reg. of Deeds*, ii. 389. [6] *Memorie*, i. 422, 462, 463; *Records of the Commissary Court of Edinburgh*. [7] *Memorie*, ii. 30. [8] *Reg. Mag. Sig.* [9] *Memorie*, i. 479. [10] *Ibid.*, ii. 125-126, where, as also in i. 467, 468 of that work, he is called *John*, the date of his death being also erroneously given (i. 466) as 1589. [11] *Ibid.*, ii. 110. [12] *Reg. of Deeds*, xxxii. 25. [13] *Ibid.*, cci. 358. [14] Canongate Reg. [15] *Memorie*, i. 442, ii. 29. [16] *Gen. Reg. Inhibs.*, xxxiii. 185.

VII. Gilbert, seventh Lord Somerville, born about 1568. Served heir to his brother William 2 May 1592.[1] Infeft in the glebe lands of Liberton, as heir to William, 31 January 1592-93, on precept dated 15 January. On 23 November of the previous year he had sold four oxgate of said lands to Hugh Somerville, merchant in Edinburgh, described as his uncle, and in later deeds as of Woolfreds. On 21 February 1592-93 he granted two charters, the one *a se* and the other *de se*, to the said Hugh, and Katharine Herries, his spouse, and infeft them therein *propriis manibus* 18 September 1593.[2] On 3 June 1592, and before his succession, he had sold Linton to Walter Ker of Littledean.[3] His interest in Linton, however, was probably not more than a superiority, for we are informed in the *Memorie*[4] that these lands had been sold to the Kers before the commencement of the sixteenth century,[5] although they continued to be included in the charters of the lordship of Somerville long after that date.[6] After his father's death the seventh Lord attempted to take forcible possession of Cowthally, which was held by his brother Hugh, and it was only by the intervention of the King and Council that the castle was delivered to him.[7] On 27 April 1598 he and others of his name were ordered to be denounced rebels in absence, on the complaint of James Lockhart of Lee, for violence to the complainer and his servants,[8] but Lockhart's father not concurring in the charge, it appears to have been abandoned.[9] About this time many lands in the barony of Carnwath were apprised from him by the younger Lockhart,[10] and he finally, on 13 February 1602, sold all that remained of the whole lordship of Somerville to John, seventh Earl of Mar, for £46,666, 13s. 6d. Scots.[11] The title of Lord Somerville does not occur in the Ranking of the Nobility of 1606. On 10 April 1611 Lord Somerville was served heir to his grandfather, the fifth Lord, in the eight-merk land of Braxfield of old extent, in the barony of Braxfield.[12] After parting

[1] *Memorie*, ii. 31. [2] *Carnwath Inventory*, Bundle 5, Nos. 5, 7, 8. [3] *Reg. Mag. Sig.*, 1 August 1594. [4] *Memorie*, i. 168, 304. [5] Cf. *Reg. Mag. Sig.*, 23 April and 21 September 1542. [6] Cf. Crown charter to Robert, Master of Dalzell, in liferent, and Gavin Dalzell in fee, 11 July 1635, *ibid.* [7] *Memorie*, ii. 36. [8] *P. C. Reg.*, v. 453-454. [9] Pitcairn, ii. 61. [10] *Reg. Mag. Sig.*, 8 September 1599. [11] *Ibid.*, Crown charter to Mar, dated 2 August 1603; *Memorie*, ii. 79. [12] *Retours, Lanark*, 92.

with his estates he lived on a small property he had bought called variously Craftlenhead, Crastlandhead, and Croftflathead,[1] in the parish of Cambusnethan, where he died in 1618, and was buried in the choir of the old church of that parish.[2] He married, in April 1592, Margaret, elder daughter of James Somerville of Cambusnethan ('Velvet Eye'), afterwards wife of Sir James Muirhead of Lauchope,[3] and by her had issue:—

1. *James*, Master of Somerville, born after 1602, who is said to have predeceased his father, being about twelve years of age.
2. *Robert*, baptized as son of Gilbert Somerville of that Ilk, 20 May 1604.[4]
3. *Mary*, born before her brother, remarkable for her beauty and amiability;[5] married, first, as his second wife, to James, second Lord Torphichen (*see that title*). By him, who died August 1617, she had no issue. She married, secondly, before she was twenty, as his first wife, William Douglas of Pumpherston,[6] and died 15 May 1620,[7] leaving issue one son, on whose death *s.p.* 1682, the heirs of the body of the first Lord became extinct.
4. *Margaret*. On 11 December 1621 her curators and the Earl of Mar, as a friend of the family, complained to the Privy Council that her mother and step-father purposed to marry her to a young man destitute of means and noways agreeable to her condition. She was appointed to be placed under the charge of James Primrose, Clerk of Council.[8] She was afterwards married to Sir Humphrey Colquhoun of Balvie, brother of Sir John Colquhoun of Luss, first Baronet, but without issue.[9]

VIII. Hugh, eighth Lord Somerville, born about 1573,[10] was known as *Somerville of Drum*, having never assumed the title of Lord Somerville 'because he thought his fortune

[1] *Memorie*, ii. 85, 396; *Coltness Collection*, 60. [2] *Memorie*, ii. 396; correcting i. 440. [3] Nisbet's *Heraldry*, ii. App. 264; *P. C. Reg.*, xii. 614. [4] Canongate Bapt. Reg. [5] *Ibid.*, 61. [6] *Ibid.* [7] *Edin. Comm. Decreets*, 9 June 1621. [8] *P. C. Reg.*, xii. 614. [9] Twelfth Lord's Petition to the King, Robertson's *Proceedings*, 110. [10] *Memorie*, i. 477.

not suitable to that dignity':[1] but if the right of succession was to the heirs of line he would be excluded by the descendants of the seventh Lord, who, according to Riddell,[2] did not fail till shortly before 1723, and would thus have excluded not only Hugh, but also Hugh's son, grandson, and great-grandson, the ninth, tenth and eleventh Lords. At fifteen he was a Page of the Bedchamber to King James VI.[3] In implement of a contract dated 29 April 1593 he received from his father a conveyance of Gilmerton, Drum, and Gutters to himself and the heirs-male of his body, whom failing, to whatever persons his father might nominate, but excluding his elder brother Gilbert and the heirs of his body.[4] After being dispossessed of Cowthally as above narrated (p. 25), he lived at Drum without taking any part in public affairs. He sold Gutters or Goodtrees, now called Moredun, about 1602 to John Fenton of Fentonbarns.[5] He purchased from John, Lord Holyroodhouse, the teinds of Gilmerton and Drum, receiving a conveyance 6 April 1631.[6] In the same year he conveyed Drum to his eldest son.[7] He is described as having an 'unruly humour, which created him many troubles,' some of which are mentioned in the *Memorie*.[8] On 1 December 1613 he was tried for killing a collier, but was acquitted.[9] He died in April 1640, and was buried in Liberton church. He married, in August 1594, Margaret, second daughter of Gavin Hamilton of Raploch. Her grandson speaks in high terms of her,[10] but she seems to have had some share of her husband's 'unruly humour,' having had twice to find caution to keep the peace.[11] She died 2 March 1644, having issue:—

1. JAMES, ninth Lord.
2. *Gavin*, who died some years before 1614.[12]
3. *Jean*, married to James Tennant of Cairns (postnuptial contract 11 October 1637[13]), and left issue.
4. *Margaret*, who predeceased her father, without issue.

[1] *Memorie*, 51. [2] *Peerage and Consist. Law*, 309. [3] *Memorie*, ii. 111. [4] Confirmed *Reg. Mag. Sig.*, 3 February 1626. [5] *Memorie*, ii. 146; Good's *Hist. of Liberton*, 117. [6] Confirmed *Reg. Mag. Sig.*, 15 March 1636. [7] Twelfth Lord's Petition, Robertson's *Proceedings*, 111. [8] *Memorie*, ii. 121. [9] Pitcairn, iii. 259. [10] *Memorie*, ii. 116. [11] *P. C. Reg.*, v. 676; vii. 577. [12] *Memorie*, ii. 148. [13] *Reg. of Deeds*, DXXI. 96.

IX. James, *de jure* ninth Lord Somerville, known like his father as Somerville of Drum. Born at Cowthally January 1595-96. His infancy and early youth were spent at his maternal grandfather's house of Raploch, from which he attended Dalserf school. In 1611 he entered Edinburgh University, where he remained three years. In 1614 he went to Paris and joined his granduncle Sir John Seton's company in one of Louis XIII.'s regiments of Guards, where he served for three years, when he returned to Scotland; but remained only six weeks, and then set out for Italy, travelling through France and Switzerland. With two companions he journeyed on foot from Paris to Rome. Turning northward to Venice, he entered the service of the Republic, in which he remained for eighteen months, when he finally returned to Scotland after an absence of two years and nine months, having spent two months in London on the way home.[1] On 19 April 1631 he had a charter from his father and mother by which they conveyed to him and his wife the lands of Gilmerton, and to himself the lands of Drum.[2] After his marriage he lived four years at Middlemills, a house belonging to Lord Ross, son of his mother's sister, and then, having bought with his wife's tocher Pilrig's Mailling, near Gilmerton, he took up his residence there. In 1639 he joined the Covenanting army as a lieutenant in Sir John Wauchope of Niddry's company of the Midlothian regiment. He was soon promoted major, and at the siege of Edinburgh Castle he led the unsuccessful assault on 12 June 1640. On the invasion of England he was appointed Governor of Durham, where he remained till the peace. In 1644 he was appointed lieutenant-colonel of the regiment raised by the College of Justice, much to the displeasure of the Earl of Leven, who wanted the post for a relation of his own. On the march southward he was left by Leven to occupy Morpeth with five hundred men but inadequate ammunition. Here he repulsed the assault of Montrose, but surrendered the place on 29 May after a siege of twenty days. He immediately returned to Edinburgh, but was ordered to report himself to Leven, then with the Scottish army in Yorkshire, who made his conduct the subject of a council of war, which absolved him from

[1] *Memorie*, ii. 127-175. [2] Confirmed 2 December 1645, *Reg. Mag. Sig.*

all blame 3 July 1644. The same day he resigned his commission, though urged by Leven to retain it or accept another command. The next day he was present at Marston Moor, but only as a volunteer, and on the following morning he had the pleasure of announcing to Leven that the battle had been won after that general's flight.[1] In 1647 he bought from Sir James Somerville the barony of Cambusnethan,[2] of which so much had been alienated by subinfeudation that all that remained in property was the Over Mains, on which stood the dwelling-house, where he took up his residence.[3] On 1 January 1651 he was present at Charles II.'s coronation at Scone. His purchase of Cambusnethan occasioned embarrassment, and that estate, along with his other lands, was apprised on 8 August and 12 October 1653.[4] In the same year he received a commission from the Earl of Glencairn whom he joined, but only to share in his capitulation to Monck the year following. He then retired to Drum, but removed to Edinburgh in 1658, where he spent the rest of his life.[5] In 1661 he sold Cambusnethan to Sir John Harper, Sheriff-Depute of Lanarkshire, from whom it passed to the Lockharts of Castlehill.[6] He died on 3 January 1677, and was buried in the Abbey Church of Holyroodhouse.[7] He married, 26 April 1631[8] (contract 5 April), Lilias, second daughter of Sir James Bannatyne of Newhall, a Lord of Session.[9] She died December 1675, aged sixty-seven, and was also buried at Holyrood.[10] He had issue:—

1. James, tenth Lord.
2. *Hugh*, born 1635, died 1647, buried in Bannatyne's tomb, Greyfriars.
3. *John*, baptized 12 August 1637, died before 1647.
4. *Thomas*, baptized 12 September 1638, died 1647, buried in Liberton Church.
5. *Margaret*, baptized 10 September 1633, married, and left issue.
6. *Mary*, born 1639, died 1647.
7. *Sybil*, baptized 25 June 1640, died 1648. Her burial in

[1] *Memorie*, ii. 350. [2] Charter of resignation dated 11 February 1648, *Reg. Mag. Sig.* [3] *Memorie*, ii. 377, 386. [4] *Ibid.*, 378; *Reg. Mag. Sig.*, 11 November 1653. [5] *Memorie*, ii. 467-469. [6] *Coltness Collection*, 25; Brown's *Hist. of Cambusnethan*, 84; *Memorie*, ii. 386 *note*. [7] *Ibid.*, ii. 474, 475. [8] Canongate Reg. [9] *Memorie*, 183. [10] *Ibid.*, 471.

Cambusnethan churchyard was the occasion of a bitter quarrel between her father and Sir Walter Stewart of Allanton.[1]

8. *Anne*, baptized 26 June 1645, died 1647.
9. —— a daughter, married, died March 1677, leaving two sons.
10. —— a child baptized 28 June 1636, died young.[2]

X. James, *de jure* tenth Lord Somerville, born at Newhall, baptized in Yester Church 24 January 1632; like his father and grandfather was known as Somerville of Drum, but Fountainhall mentions a rumour that he 'minds to assume the title of Lord Somervell as being the nearest.'[3] At eight years of age he was with his father at the siege of Edinburgh Castle. At eighteen he joined the Earl of Eglinton's troop in the King's Guard of Horse. After the defeat at Dunbar he was sent by Major-General Montgomery to watch the movements of the Remonstrants under Colonel Ker, and was present at Hamilton when they were defeated by Lambert. He accompanied his father to the coronation. When the Royal Army was on the march to England, his betrothed, at his father's instigation, invited him to Corehouse, where he was detained by 'kindly force.'[4] Under his contract of marriage he was infeft in Cambusnethan, Gilmerton, Pilrig's Mailling, and Gutters (sasine registered 15 November 1651[5]). On his father's retiring to Drum he took the management of Cambusnethan Mains. In 1663 he took up his residence at Drum.[6] He was on the assize at the trial and acquittal of Sir Hugh Campbell of Cessnock for treason 24 and 27 March 1684, and, with Alexander Nisbet of Craigentinny and Sir Patrick Maxwell of Springkell, complained of Sir George Mackenzie's unduly pressing a witness to bear testimony against the accused. The Privy Council ordered a libel to be prepared against them; but this was abandoned on their declaring themselves sorry that offence was taken at their carriage.[7] On

[1] *Memorie*, ii. 396. [2] It is hard to reconcile the statements in the *Memorie*, ii. 184, 376, 474, with the list in Nisbet's *Heraldic Plates* taken from the Register of Liberton. [3] *Historical Notices*, 6 March 1677, 149. [4] *Memorie*, ii. 183, 233, 419, 450, 457. [5] *Reg. Mag. Sig*, 19 July 1653. [6] *Memorie*, ii. 426. [7] Fountainhall's *Decisions*, i. 286, 290, 292; *Chron. Notes*, 86; *Hist. Notices*, 519, 522, 527.

4 January 1686 he was on the assize at the trial of Fletcher of Saltoun for treason, and one of the four who were for his acquittal.[1] It was he who wrote the *Memorie of the Somervilles* so often above mentioned, which he inscribed to his sons in 1679. The manuscript, in two folio volumes, lay unpublished till 1814, when it was edited by Sir Walter Scott. He died at Edinburgh 7, and was buried 9, February 1693, at Liberton.[2] He married, first (contract 17 September), on 13 November 1651, in Lesmahagow Kirk, Martha, younger daughter of John Bannatyne of Corehouse, born 1634, died 1676;[3] and secondly, Margaret, younger daughter of Gavin Jamieson, in the Walkmyln of Calder. She survived him and married, secondly, James Drummond, Depute Clerk of Petitions.[4] She was dead in 1726. By his first wife he had issue:—

1. *James Somerville*, born at Corehouse 26 August, baptized at Lanark Kirk 1 September 1652.[5] On 8 July 1682, when riding home from Edinburgh, he found two of his friends, Thomas Learmonth, son of Thomas Learmonth, Advocate, and Hugh Paterson, younger of Bannockburn, fighting with swords. In trying to separate them he received a wound from Learmonth with Paterson's sword. He died two days after, having forgiven Learmonth and advised him to fly, which he did.[6] He married, clandestinely, 3 June 1671, Elizabeth, daughter of George Graham, Merchant, Edinburgh, for which, on 29 June of the same year, he was sentenced to a fine of £500 and three months' imprisonment under the Act 1661, c. 34.[7] He had issue:—
   (1) James, eleventh Lord, of whom hereafter.
   (2) *John*, baptized 7 December 1676.
   (3) *Martha*, born 20 May 1679.
2. *John*, born before 1655;[8] a captain in the service of the States General of the United Provinces 13 June 1678;[9] became lieutenant-colonel of his regiment before 1692;[10] married Anna Maria Susanna Hasill, a Dutch lady.

[1] *Hist. Notices*, 691. [2] Lyon Office funeral entry. [3] *Memorie*, i. 13; ii. 431, 424, 460. [4] *Retours, Gen.*, 27 December 1694. [5] *Memorie*, ii. 462. [6] Fountainhall's *Decisions*, i. 187; *Historical Notices*, 363. [7] *Ibid.*, 23. [8] *Memorie*, i. 18. [9] *Scots Brigade in Holland*, i. 504. [10] *Ibid.*, 518.

3. *George*, born before 1656,[1] adjutant-general Foot Guards, who was also married.[2]
4. —— another son, born before 1657, who 'came to man's estate.'[3]

By his second wife the tenth Lord had issue:—

5. *Hugh*, born 1688.
6. *Margaret*, born 1686.

XI. JAMES, *de jure* eleventh Lord Somerville, who like his three immediate predecessors was known as *Somerville of Drum*, was baptized 29 November 1674,[4] there being present his father, and his paternal grandfather and great-grandfather.[5] On 21 December 1682 he was served heir in general to his father,[6] and on 22 March 1695 he was served heir in special to him in Drum, Gilmerton, and Pilrig's Mailling.[7] He died 4 December 1709, having married Janet, daughter of Patrick Murray of Mount Lothian, captain in the Earl of Tullibardine's regiment, second son of Sir Patrick Murray of Deuchar, by whom he had issue:—

1. JAMES, twelfth Lord Somerville.
2. *George*, born 12 June 1701, captain of Dragoons. Like his elder brother he was a friend of the poet Somervile, who addressed some verses to him,[8] and bequeathed to him his best horse, his diamond ring, and his gold buckles and buttons.[9] A portrait of him by Gainsborough, exhibited at Burlington House in 1886, is in the possession of his descendant Arthur Fownes Somerville, Esq. of Dinder.[10] He died 26 May 1782, having married Elizabeth, eldest daughter and co-heiress of Robert Hickes of Combe, Gloucestershire, lord of the manor of Dinder, Somersetshire. She died 6 July 1776, aged seventy-seven, and both are buried in Dinder Church.[11] He had issue:—

(1) *William*, born 1733. Matriculated at Balliol College, Oxford, 21 June 1750; B.A. 1754; M.A. 1757. Prebendary of Wells 1762. Tutor to his kinsman, Sir James Bland Burges, with

[1] *Memorie*, i. 18. [2] *Index to Genealogies, etc., in Lyon Office*, Scot. Record Soc. [3] *Memorie*, ii. 427. [4] Edin. Reg. [5] *Memorie*, ii. 470. [6] *Retours, Gen.* [7] *Retours, Edin.* [8] Ms. in the possession of Lady Head. [9] Will proved *P.C.C.*, 3 September 1742. [10] *Catalogue of Royal Academy's Winter Exhibition*, 1886, No. 32. [11] Phelps's *Hist. of Somersetshire*, ii. 194, 196.

whom he travelled on the Continent in 1733, and who describes him as a good clergyman and an excellent farmer.[1] Vicar of Bibury and Rector of Aston Somervile 1774. Died without issue 25 June 1803, having married, in June 1777, Jane, daughter of Lionel Seaman, D.D., Archdeacon of Taunton, and granddaughter of Edward Willes, Bishop of Bath and Wells. She died 3 December 1830, aged seventy-five.[2]

(2) *James*, captain in the 68th Regiment of Foot, died 1764.

(3) *Mark*, lieutenant H.M.S. *Rochester*. Killed, in the twenty-second year of his age, on 11 September 1758 while bringing off the troops from St. Cas, having received eight shots through his breast. His portrait, by Gainsborough, is in the possession of his sister's descendant, Arthur Fownes Somerville.

(4) *Anne Vannam*, married, as his second wife, to the Rev. Thomas Fownes of Kittery Court, Devonshire, Vicar of Brixham and Prebendary of Wells, 12 September 1764, and died 31 March 1812. Her portrait, by Gainsborough, is in the possession of her descendant, Arthur Fownes Somerville,[3] whose grandfather took the name of Somerville by Royal Licence in 1831.

(5) *Elizabeth Maria*, born 1737, died, unmarried, 29 November 1817.[4]

3. *Patrick*, baptized 16 August 1703, and
4. *John*, born 23 December 1705; both died without issue.
5. *Euphemia*, born 26 June 1696, died unmarried.
6. *Elizabeth*, born 8 May 1699, died unmarried.

Two or three other children.

Of these eight or nine children six only were living on 2 February 1711.

XII. James, twelfth Lord Somerville, restorer of the fortunes of his family, baptized 25 January 1698. At the age of twelve he was left an orphan with an income of 'betwixt 4 and 5000 merks by year,' about one-third of which he was required to pay for the maintenance of his brothers and sisters.[5] On 19 September 1715 he was served heir in special to his father in the lands of Drum, Gilmerton, and Pilrig's Mailling.[6] In 1721[7] he resolved to

[1] *Bland Burges Papers*, 35. [2] Phelps, ii. 193, 194. [3] *Cat. Royal Academy Winter Exhibition*, 1886, No. 24. [4] M. I., Phelps, ii. 196. [5] Fountainhall's *Decisions*, ii. 633; cf. Scott's concluding note to the *Memorie*, ii. 479, where the income is given as about £300 a year. [6] *Services of Heirs.* [7] Somerville *v.* Lord Somerville, *Reports of Cases in Chancery*, by Francis Vasey, Yr., v. 751.

push his fortune at Court, and, repairing to London attended by an old and confidential servant of the family, he took up his residence in an obscure lodging at Kensington, but contrived in public to make some show befitting his rank,[1] and soon obtained a commission in the Dragoons.[2] On 1 June 1721, at a keenly-contested election of a Scottish Representative Peer, he claimed to vote as heir to the Lord Somerville who stood on the rolls of Parliament in 1579, and offered instantly to produce sufficient documents in support of his claim. This was objected to on the ground that there was no patent of the Peerage extant, that the destination to heirs was unknown, and that no Lord Somerville had been on the rolls of Parliament for more than a hundred years past, nor any such Lord ranked in the Decreet of Ranking of the Peers of Scotland in 1606. The clerks refused to administer the oath and receive the claimant's vote on the ground that the Peers present did not agree that he was entitled to the right acclaimed by him as Peer, and because his name did not appear in the rolls of Parliament delivered to them.[3] On 13 February 1722 Lord Somerville procured himself served heir in general to Gilbert, seventh Lord, *frater atavi sui*.[4] At the election on 21 April of that year the Earl of Bute craved that Lord Somerville's name should be added to the roll of Peers; but the clerks declared that, as he was not on the roll at the time of the Union, they did not conceive themselves empowered to add him to the roll: against which the Earl of Bute protested. At the next election, however, which was held on 15 August 1722, the name of Lord Somerville appears in the scheme of election after Lovat, and before Torphichen, and his list was received. He also presented a petition to the King, setting forth that as male descendant and right lineal heir of Gilbert, Lord Somerville, he had right to the honour, title, and dignity of Lord Somerville. On 25 May 1723 the matter was referred to the Committee for Privileges. On 27 May the Earl of Findlater reported that the Committee found that the Lord

[1] *Selections from the Letters and Correspondence of Sir James Bland Burges, Bart.*, edited by James Hutton, London, 1885, p. 5. [2] *Memorie*, ii. 479. [3] *Proceedings relating to the Peerage of Scotland from January* 16, 1707, *to April* 29, 1788, by William Robertson; Edinburgh, 1790, pp. 85, 86, 95, 96, 97. [4] *Services of Heirs.*

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Somerville was enrolled as present in Parliament the 15 February 1524, and was from that date to 13 July 1587 found in the Parliament Rolls. That the Lord Somerville who then sat in Parliament was called Hugh, Lord Somerville, and had two sons, Gilbert and Hugh: that Gilbert was also designed Lord Somerville in several authentic writings produced to the Committee: that Gilbert's issue had failed, and that the petitioner in a connected progress had been served heir to him, by which it appeared that the petitioner was *both heir-male and heir-general of Gilbert.* The resolution and judgment of the House of Peers was that James, Lord Somerville, had a right and title to the honour and dignity of Lord Somerville, and ought to be placed in the List or Roll of Peers in Scotland in the place in which his ancestor the Lord Somerville sat in Parliament the 15 of February 1524, preserving to him and all other Peers of Scotland their rights and places, upon further and better authority showed for the same. At the election of 13 June 1723 Lord Elibank, for Lord Somerville, protested that by further search in the records of Parliament it was found that the Lord Somerville sat in the Parliament 1469 as a Lord Baron, and in several other subsequent Parliaments before the said Parliament in February 1524, which was omitted to be laid before the Peers, and that instead of being, as he was, ranked after the Lord Ross, and those ranked before Lord Ross, he ought to be ranked before all those Lords Barons who were then ranked before him. At the election of 20 September 1727 Lord Somerville, being personally present, repeated the protest himself.[1] In 1724 Lord Somerville married a lady of fortune whose wealth enabled him to improve and develop his ancestral estate, which he managed with such prudence and energy, that he trebled its revenue without taking into account the handsome income from collieries, stone quarries, and sandpits which he opened and worked. He resided with his wife on her estate till 1726, when he returned to Scotland. On 8 October 1728 he received the freedom of the city of Glasgow.[2] He pulled down the old house of Drum and erected the present

[1] Robertson's *Proceedings*, 102, 108, 110, 111, 113, 114, 117, 118, 123.
[2] Burgess Ticket in the possession of Lady Head.

mansion, after the design of William Adam of Marybury,[1] laid out the grounds, and dispensed a generous hospitality.[2] He was the friend of Allan Ramsay and William Somervile, the Poet of the Chase and representative of the ancient English family of Somervile. In return for financial assistance the latter, in 1730, assigned to him the reversion of his estates of Edstone, in Warwickshire, and Aston Somervile, in Gloucestershire, which came into Lord Somerville's possession on the poet's death in 1742.[3] He sold Edston to pay the poet's debts, but retained Aston Somervile, which had long been in the possession of the English family. After the death of his first wife he further improved his fortune by marrying another lady of wealth. At the general election of 1741 he was elected a Representative Peer, and in 1744 he was appointed a Lord of Police.[4] Being a prominent adherent of the House of Hanover he had his mansion of Drum, then called Somerville House, plundered in 1745, when Edinburgh was occupied by the army of Prince Charles Edward. The stolen effects were recovered by the villagers of Gilmerton, with loss of life on both sides, and Lord Somerville received an apology from the Prince with an officer's guard for his protection.[5] There was in the possession of his great-granddaughter, the Hon. Mrs. Ralph Smyth, an order in the Prince's name, dated 23 September 1745, granting a special protection to the house and place of Somerville. Lord Somerville died at Drum 14 December 1765. He, who is described by his grandson, Sir James Bland Burges, as 'beyond measure crazy after matrimonial alliances,'[6] married, first, 18 September 1724, Anne, only daughter of Henry Bayntun of Spye Park, Wiltshire, by Lady Anne Wilmot, eldest daughter of the famous John, Earl of Rochester. She was then the widow of Edward Rolt of Sacombe Park, Hertfordshire. There is a portrait of her in the possession of Sir Archibald Lamb, Bart. She died at Drum 24 October 1734;[7] and Lord Somerville married, secondly, on 27 April 1736, at St. Greg-

[1] *Vitruvius Scoticus*, where it is called 'Somerville House'; MacGibbon and Ross's *Castellated and Domestic Architecture of Scotland*, ii. 560, v. 567. [2] *The Bland Burges Papers*, 6-13; Boswell's *Life of Johnson*, ed. 1835, viii. 19. [3] Memoir of William Somervile in *Dict. Nat. Biog.* [4] *The Bland Burges Papers*, 7, 9. [5] *Ibid.* [6] *Ibid.*, 13. [7] Admon. 31 March 1735.

ory's, London, and 6 May following at Kirkcudbright,[1] Frances, fifth daughter and coheir of John Rotherham of Much Waltham, Essex, and widow of Peter Curgenven, an East India merchant.[2] She died at Drum 13 May 1755.[3] Will dated 6 February 1755, proved 14 November 1757.[4] By his first wife he left issue:—

1. James, thirteenth Lord Somerville.
2. *Hugh*, born in Scotland 1729. When a boy at school near Edinburgh he took refuge in the island of Inchkeith to escape being pressed into the Highland army.[5] He was captain 2nd Dragoon Guards 1753, major 16th Light Dragoons 1759, took part in the capture of Valenza d'Alcantara under Brigadier-General Burgoyne 1763; died at York House, Clifton, 7 May 1795, and was buried in Old Weston Church, near Bath.[6] He married, first, at Lydiard, near Taunton, 23 November 1763, Elizabeth Cannon, daughter of Sir Christopher Lethbridge, Bart., of Westaway, Devon. She died 11 October 1765, and he married, secondly, 21 April 1778, Mary, eldest daughter of the Hon. Wriothesley Digby of Meriden, Warwickshire, younger son of William, fifth Baron Digby of Geashill, by Mary, daughter of John Cotes, Esq. of Cotes and Woodcote, Salop.[7] She died 8 September 1794, aged forty-four.[8]

By his first wife he had issue:—

(1) John Southey, fourteenth Lord Somerville.

and by his second wife:—

(2) *Hugh*, born 13 January 1779, entered the East India Company's service in Bengal 1794. Married 25 December 1807 Amicia, daughter of George Heming of Weddington, Warwickshire, and died without issue at Bhauglepore, Bengal, 13 January 1808. His widow died at Rivers Street, Bath, 22 January 1859.
(3) Mark, fifteenth Lord Somerville.
(4) Kenelm, sixteenth Lord Somerville.
(5) *William*, born 14 October 1789, was for a time an officer in the Royal Navy,[9] and, afterwards taking holy orders, became Rector of Barford, Warwickshire. Married, 5 May 1830

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[1] *Complete Peerage.* [2] Morant's *Hist. and Antiq. of Essex*, ii. 88. [3] *Scots Mag.* [4] *Complete Peerage.* [5] *The Bland Burges Papers*, 10. [6] M.I. Weston Church. [7] Ruvigny's *Plantagenet Roll*, table xii. (Essex vol.). [8] M.I. Weston Church. [9] *Memorie*, ii. 486.

Charlotte, daughter of the Rev. Walter Bagot of Blithfield, Staffordshire. He was drowned at Birkenhead on 6 July 1857 when going to visit his son Aubrey John, afterwards eighteenth Lord, then fourth mate of the *Donald M'Kay*, Australian packet ship, and was buried at Barford. By his wife, who died at East Hampstead on 24 October 1865, aged sixty-five, and was also buried at Barford, he had issue:—

i. *Walter Digby*, born 17 December 1831; died at Paris, unmarried, 17 May 1865.
ii. *William Everard*, born 3 July 1833; matriculated at Christ Church, Oxford, 3 June 1852; graduated B.A. 1856; clerk in holy orders. Died, unmarried, 6 September 1868, and was buried at Ripon.
iii. *Reginald Hugh*, born 16 December 1836; lieutenant in the Royal Welsh Fusiliers; killed in the assault before Sebastopol 8 September 1855.
iv. AUBREY JOHN, eighteenth Lord Somerville.
v. *Augustus*, born 8 August 1840; died 7 April 1869, buried at Ripon.

(6) *Mary*, born 27 April 1780, married to the Rev. Charles Digby, Canon of Windsor, by whom she had issue. Died at Bishop's Caundle, Dorset, 28 April 1834. Her husband died 23 June 1841.
(7) *Frances*, born 7 January 1782, married, as his second wife, 28 August 1838, to the Hon. William Booth Grey, second son of George Harry, fifth Earl of Stamford and Warrington. Died, without issue, 23 October 1849. Her husband died 28 March 1852.
(8) *Harriet*, born 23 May 1786, married, as third wife, 14 October 1816, to William, seventeenth Earl of Erroll,[1] who died 26 January 1819. By him she had issue, and died 28 January 1864.
(9) *Julia Valenza*, born 27 August 1792, married, 20 May 1816, to the Right Hon. Sir Francis Bond Head, Bart., Lieutenant-Governor of Upper Canada, who died 20 July 1875. She died, leaving issue, 23 March 1879.

3. *Ann Wichnour*, born in England 12 September 1725. She was god-daughter of Somervile the Poet, who named her after an early possession of his family,[2] and left her his ruby ring.[3] Through him the Somervile portrait of Shakespeare, now the property of Sir Stafford Northcote, Bart., came into the possession of her son.[4] On 23 December 1748 she was married, under romantic circumstances, to George Burges of Greyslee and Mortimer, Berkshire, aide-de-camp and secretary to General Bland, Commander-in-chief in

[1] Cf. vol. iii. 584 of this work. [2] *Supra*, p. 1. [3] Will, *vide supra*, p. 32 *note*. [4] *Inquiry into the History, etc., of the Shakespeare Portraits*, by Abraham Wirall, 1827, p. 150.

Scotland. The young officer had distinguished himself at Culloden by capturing the standard of Prince Charles Edward's bodyguard. Captain Burges was afterwards receiver-general and cashier to the garrison at Gibraltar. In 1758 he was appointed Secretary to the Excise and Receiver-general of the Duty on Places and Pensions in Scotland; in 1760 one of the Commissioners of Excise; and in 1768 Comptroller of the Customs. He died on 16 March 1786, having been predeceased by his wife on 29 October 1778. There is a crayon portrait and a miniature of her in the possession of her great-great-grandson, Sir Archibald Lamb, Bart. She left issue a son, afterwards Sir James Bland Burges, Baronet, who latterly assumed the surname of Lamb, and three daughters.

4. *Elizabeth*, born at London, 16 September 1737; died at Holyroodhouse 1740.

XIII. James, thirteenth Lord Somerville, born 22 June 1727 at Drum or Goodtrees.[1] He lived at Drum till nine or ten years of age, attending school in Dalkeith, and afterwards in Edinburgh. He was then sent to the Rev. Edward Somervile, Rector of Aston Somervile, and brother of William Somervile, the poet, chiefly to avoid the northern dialect. In June 1742 he went to Westminster School, which he left at Christmas 1743, and went to Caen in Normandy, where he continued his education till 1745, when, being sent for by his father, he returned to Scotland and joined the army as a volunteer.[2] He was aide-de-camp to Sir John Cope at Prestonpans, and to General Hawley at Falkirk and Culloden. In the ravages which succeeded that battle he behaved with more humanity than his superiors in command.[3] He was captain 2nd Dragoon Guards 1751, major 1761, and quitted the Army in 1763.[4] On 11 February 1766 he was served heir of line in general to his father, and on 27 August of the same year heir in special to his father in the lands of Drum with manor-place, Gilmerton, West Park of Colintoun and nine acres

[1] *Somerville* v. *Lord Somerville*, after cited. [2] *Ibid.* [3] *The Bland Burges Papers*, 10. [4] *Somerville* v. *Lord Somerville*, after cited.

adjacent, and in the church lands of Hailes called Spylaw.[1] He was elected a Representative Peer 7 August 1793. Aston Somervile yielded him £1000 a year, Drum £2500, and he held between £50,000 and £60,000 in the funds.[2] He died suddenly at his house in London, unmarried, and intestate 19 April 1796, and was buried in the chancel of Old Weston Church, Bath.[3] Admon. 7 May 1796. There is a portrait of him in the possession of Sir Archibald Lamb.

XIV. John Southey, fourteenth Lord Somerville, born 21 September 1765, at Fitzhead Court, near Taunton, Somersetshire; educated at Harrow. He afterwards spent three years with a tutor at Peterborough, and on 28 June 1782 was entered as a fellow commoner at St. John's College Cambridge; graduated Master of Arts 1785. Travelled on the Continent with Francis, fifth Duke of Bedford, returning home before the end of 1786. He then undertook the cultivation of a poor farm in Somersetshire, part of an estate inherited from his mother, which he converted into a valuable property. Sir Walter Scott says that about the year 1790 he nearly purchased the château and dependencies of Somerville in Normandy; but the state of property becoming disturbed by the Revolution, the idea was relinquished.[4] When this country was threatened with a French invasion he received command of a hundred Somersetshire yeomen, and was subsequently appointed colonel of the West Somerset Yeomanry. On 2 December 1796 he was served heir in general to his uncle the thirteenth Lord, and also heir in special to him in the lands of Drum, Gilmerton, Pilrig's Mailling, Stenhouse, and others; and on 8 January 1800 he was served heir in special to his great-great-great-grandfather, James Somerville of Drum, in the teinds of Gilmerton and Drum.[5] Between 1800 and 1809 he sold in several lots all his lands in Midlothian.[6] On 16 April 1796 he was

[1] *Services of Heirs.* [2] *Somerville* v. *Lord Somerville*, 1801; *Reports of Cases in Chancery*, by Francis Vesey Younger, v. 751, where it was held that his domicile was Scottish. [3] M.I. at Weston Church. [4] *Edin. Weekly Journal*, 27 October 1819, reproduced in Scott's *Miscellaneous Prose Works*, 1827, iv. 353. This later account of these negotiations differs materially from the earlier one contained in Scott's concluding note to the *Memorie*, ii. 484. As to the probable situation of the estate in question, *vide supra*, p. 1. [5] *Services of Heirs.* [6] *Liberton in Ancient and Modern Times*, by George Good, Edinburgh, 1893, 102.

elected a Representative Peer, and was re-elected in 1802 and 1806. On 23 March 1798 he was elected President of the Board of Agriculture, and on 19 March 1799 he was unanimously re-elected. In the same year he was appointed a Lord of the King's Bedchamber. On 11 December 1798 he was elected President of the Bath and West of England Society. He was also an original member of the Smithfield Club, and a Vice-President from 1814 to 1819. He devoted much attention to the breeding of pure Merino sheep in England, and crossing with that strain the breeds of Ryeland and Southdown. He advocated the use of oxen for ploughing, and the sowing of corn by drilling instead of broad-casting. He also outlined a scheme for the collection of small weekly sums for old-age pensions. He invented improvements in the construction of ploughs and agricultural carts; and held an annual agricultural show from 1802 till within a few years of his death. At his Scottish residence, the Pavilion, Roxburghshire, which he purchased about 1805, he was the neighbour and intimate friend of Sir Walter Scott, who makes frequent reference to his salmon-spearing, one of the many forms of sport in which he excelled.[1] Lord Somerville's published writings include *Short Address to the Yeomanry of England by John Southey Somerville*, Bath, 1795; *The System followed during the last two Years by the Board of Agriculture*, by John, Lord Somerville, 2nd edition, 1800, and *Observations on Sheep, Wool, etc.*, 3rd edition, 1809. A portrait of him, painted by Samuel Woodforde, R.A., is at Matfen Hall, Northumberland, the seat of Sir Hugh Douglas Blackett, Bart. It was engraved in 1800 by James Ward, R.A. Lord Somerville died at Vevey on 5 October 1819 and was buried at Aston Somervile (will dated 22 September 1813 to 16 December 1815, proved 19 March 1820[2]). Being unmarried, his maternal property in Somersetshire reverted to Sir Thomas Lethbridge, Bart.[3]

[1] Introductory Epistle to the *Monastery*; Lockhart's *Life of Scott*, cap. 35. Character of the late John Lord Somerville in Scott's *Miscellaneous Prose Works* above cited. [2] *Complete Peerage*. [3] Much of the above information in regard to the fourteenth Lord is derived from a Memoir by Sir Ernest Clarke in the *Journal of the Royal Agricultural Society of England*, third ser., viii. 1897. See also *Dict. Nat. Biog.*

XV. Mark, fifteenth Lord Somerville, born 26 October 1784, was sometime an officer in the Royal Artillery.[1] On 21 February 1820 he was served heir of conquest in special to his brother consanguinean John Southey, fourteenth Lord, in the lands of Nunbank, Redpath, part of the lands of Gattonside, Easter Langlee, Gateside and others in Berwickshire and Roxburghshire.[2] He died, unmarried, at The Hall, Berkhampstead, Hertfordshire, 3 June 1842, and was buried at Berkhampstead. Will proved July 1842.

XVI. Kenelm, sixteenth Lord Somerville, born at Bath 14 November 1787, educated at Rugby, an officer in the Royal Navy 1801, commanded the *Thames* on the coast of America, and was officially recommended for his services during the expedition up the river Patuxent.[3] On 10 June 1843 he was served heir in general to his brother Mark, fifteenth Lord.[4] Rear-Admiral 1846.[5] Died at Newbold Comyn, Warwickshire, 19 October 1864, and was buried at Aston Somervile. He married, 3 September 1833, Frances Louisa, only daughter of John Hayman, Esquire. She died at Granville Place, Marylebone, 18 November 1885. He left issue:—

1. Hugh, seventeenth Lord Somerville.
2. *Frederick Noel*, lieutenant, Rifle Brigade, born 8 October 1840. Died, unmarried, 8 January 1867, and was buried at Hinton, Hampshire.
3. *Louisa Harriet*, born 11 January 1835, married, 21 October 1871, to Charles Stewart Henry, colonel, Royal Horse Artillery, who died 5 October 1892. On 24 January 1871 she presented a petition to the Sheriff of Chancery praying to be served nearest and lawful heir of provision in special to Aubrey John, the last Lord Somerville in his estates in Roxburghshire and Berwickshire, under her father's disposition and deed of destination and settlement dated 23 January 1857, by which he disponed these estates to the Hon. Hugh Somerville, his eldest son; whom failing, to the persons who should successively have right and succeed to the title of honour and Peerage of Somerville;

[1] *Complete Peerage.* [2] *Services of Heirs.* [3] *Complete Peerage.* [4] *Services of Heirs.* [5] Nisbet's *Heraldic Plates.*

whom failing, to the heirs of the said Hugh Somerville's body; whom failing, to the Hon. Frederick Noel Somerville, the granter's second son; whom failing, to the heirs of his body; whom failing, to any other lawful son or sons who might be procreated of the granter's body in the order of seniority, and the heirs of their bodies respectively; whom failing, to the petitioner, the granter's eldest daughter; whom failing, to the other heirs mentioned in said deed. On 3 May 1871 she presented an amended petition praying to be served as nearest and lawful heir of provision in special under said deed to Aubrey John Somerville described as *having assumed the title and honour of the Peerage of Somerville.* On 3 March of the same year, 1871, the Rev. Alexander Neil Somerville, Minister of Free Anderston Church in Glasgow,[1] presented a petition for service as cousin in the ninth degree or thereby and nearest and lawful heir of provision in special under said deed to the said Aubrey John in the said lands, setting forth a descent from James Somerville, second son of James, sixth (fifth) Lord Somerville.[2] On 10 November 1871 Thomas Taylor Somerville of Tipton County, State of Tennessee, U.S.A., petitioned to be served as cousin in the twelfth degree or thereby, and nearest and lawful heir of provision in special under the said deed, to the said Aubrey John in the said lands, setting forth a descent from John, third (second) Lord Somerville[3] through, *inter alios*, his second son, Sir John Somerville of Cambusnethan, and James, second son of Sir James Somerville, sixth Baron of Cambusnethan.[4] On 8 January 1872 the Sheriff of Chancery, under direction of the Court of Session, served the Hon. Mrs. Henry in terms of her petition, thus giving her the property of the estate in question.

4. *Emily Charlotte*, born 29 July 1836; married, 29 April 1860, to the Rev. Thomas Bond Bird Robinson,

[1] Dr. Somerville's Life, under the title of *A Modern Apostle*, by George Smith, LL.D., was published in 1890. [2] Cf. *supra*, p. 21. [3] The later degrees of descent set forth by these two claimants are given in *The Genealogist*, new ser., xiii. 156. [4] *Services of Heirs*.

Rector of Milton, Lymington, Hampshire, who died in 1897.

5. *Mary Agnes*, born 19 December 1837; married, 18 June 1872, to Sir Theophilus William Biddulph, Bart. of Westcombe, Kent, who died 1 March 1883. She died 16 June 1889, leaving issue.
6. *Selina Constance*, born 21 November 1841; married, 6 August 1861, to Ralph Smyth, captain 17th Foot, eldest son of Robert Smyth, Esq. of Gaybrook, co. Westmeath, who died, without issue, 20 November 1890. She died in London 13 January 1910.
7. *Julia Frances*, born 24 May 1844; married, 23 November 1871, to Sir Edward William Blackett, Bart., of Matfen Hall, Northumberland, C.B., major-general, who died 13 September 1909; and has issue.

XVII. Hugh, seventeenth Lord Somerville, born at Leamington, Warwickshire, 11 October 1839; educated at Eton and Christ Church, Oxford; lieutenant Warwickshire Yeomanry Cavalry; unmarried; killed by a fall from his horse when hunting near Kilworth, Leicestershire, 17 November 1868. Buried at Aston Somervile.

XVIII. Aubrey John, eighteenth Lord Somerville, son of William Somerville and great-grandson of the twelfth Lord, assumed the title as heir-male; he was born 1 February 1838 at Meriden, Warwickshire; educated at Rugby. Sometime of Port Macquarie, New South Wales. On 14 February 1870 he was served heir of provision in special to his uncle Kenelm, sixteenth Lord, in the Pavilion estate, Roxburghshire, and the lands of Redpath, Comfortlee, and others, Berwickshire.[1] He died, unmarried, 28 August 1870, and was buried at Aston Somervile, where his monument in the church bears that he was the premier Baron of Scotland, and that at his death the title became extinct. It has at least since then been dormant. Will proved under £9000.[2] The estate of Aston Somervile was sold to John Whitehead, Esq. of Evesham, on 11 July 1871 for £47,600.

[1] *Services of Heirs.* [2] *Complete Peerage.*

Creation.—Between 28 June and 3 July 1445.

Arms.—Azure, seven cross crosslets fitchée between three mullets or. So in the Lyon Register and in Nisbet's *System of Heraldry*, for Somerville of Drum; but for Lord Somerville, Nisbet gives: Azure, three stars or, accompanied with seven cross crosslets fitchée argent, three in chief, one in the centre, two in the flanks, and the last in base.[1]

Crest.—On a wheel or (argent in the Lyon Register) a dragon (more frequently a wyvern) vert spouting fire behind and before (in allusion to the 'worme' and the manner of her slaughter, *v. supra*, p. 2).

Supporters.—Two hounds proper, collared gules.[2]

Motto.—*Fear God in Love.*[3]

[G. W. C.]

[1] Cf. Nisbet's *Heraldic Plates*, 130. [2] The three frogs that figure as crest and supporters in the *Hamilton MS.* had probably allusion to the situation of Cowthally in the midst of a great morass, 'double ditched with standing watter about it' (*Memorie*, i. 356, 357 *note*, 360). The three feathers above the frog in the crest may have signified the abundance of winged game which made Carnwath moor a favourite royal hawking-ground (*ibid.*, i. 372). [3] The preponderance of authority is in favour of this rather than the more recent and common form, *Fear God in Life*, which may have originated in mistaking *luf* for *lyf*.

CARNEGIE, EARL OF SOUTHESK.

THE earliest known generations of the family of Carnegie bore the name of de Balinhard, a property which was disponed by the Abbey of Balmerino to a certain Jocelyn, who as Dominus Jocelynus de Balinhard appears twice c. 1230 in perambulations connected with the Abbeys of Balmerino and Arbroath, with Nicolaus de Inverpefer, an estate immediately adjoining Balinhard.[1] According to dates he may have been the father of John de Balinhard, the first authentic ancestor of the family, but of this there is no evidence. The earliest document relating to the family which is on record is the abstract of a Crown-charter of c. 1358, as follows:—'David, etc. Sciatis nos approbasse et hac presenti carta nostra confirmasse donacionem illam et concessionem quam quondam Walterus de Maule fecit et concessit Joanni filio et heredi quondam Joannis filii Christini filii Joannis de Balnehard de terra de Carrynnegy cum pertinentiis in baronia de Panmure infra vicecomitatem de Forfar: Tenenda et habenda eidem Joanni de Carinnegy filio et heredi predicti quondam Joannis filii Joannis (*sic*) et heredibus suis in feodo, etc.'[2]

[1] *Chartulary of Balmerino*, Nos. 9 and 70, pp. 8 and 59; *Reg. Vetus de Abirbrothock*, No. 258, p. 197. [2] Haddington collection of charters in Advocates' Lib.

Southesk

So far as can be ascertained, neither the original of this donation nor of the Crown charter of confirmation are in existence, and they were probably destroyed by fire when Kinnaird Castle was burned in 1452 by the Earl of Crawford after the battle of Brechin.

Beyond what this abstract tells us, little or nothing is known of the family of de Balinhard or their origin, but it is clear that

John de Balinhard, having acquired the lands of Carnegie, an estate in the parish of Carmylie in Forfarshire, about four miles westward of Balinhard, assumed from them, according to custom, a new surname. He was in all probability the father of

1. John.
2. Duthac, of whom afterwards.

John Carnegie, second of that Ilk, who married and had two sons:—

1. John.
2. *Walter de Carnegie*, who on 21 July 1450 was one of an inquest in Brechin concerning the right of the city to hold a weekly market on every Lord's day; his name follows that of John de Kernegy *de eodem* and he is described as his brother.[1]

John Carnegie, third of that Ilk, is mentioned in various documents between 1438 and 1457,[2] after which no mention of him is found, but judging by dates, and from the fact of the lands remaining in the family, he was probably the grandfather of

James Carnegie of that Ilk, who flourished from c. 1500 to 1530. He is mentioned as witnessing a deed on 5 March 1500-1.[3] He married Isobel, a granddaughter of Robert Liddell of Panlathie,[4] before 24 August 1513, on which date they were infeft as spouses in the half lands of Carnegie on a precept of Thomas Maule of Panmure.[5] On 23

[1] *Reg. Episc. de Brechin*, ii. 79. [2] *Reg. Nigrum de Aberbrothock*, 72; *Reg. Episc. Brechin*, i. 141; ii. 79. [3] *Ibid.*, i. 226. [4] *History of Carnegies*, by Sir W. Fraser. [5] Instrument of sasine at Panmure.

July 1527, James Carnegie resigned his lands of Carnegie into the hands of Robert Maule his superior. He died without issue before 1563, by which date Isobel Liddell had married Thomas Douglas of Panlathie.[1]

DUTHAC DE CARNEGIE is presumed to have been the second son of John (de Balinhard) de Carnegie. Little is known of him except that he witnessed a charter in Aberdeen on 1 July 1363, and another deed at Glamis in 1367, in which he is designated a burgess of the city of Aberdeen.[2] He was the father of

1. DUTHAC.
2. *Gilbert*, a witness to deeds in 1409 and 1410.[3]

DUTHAC DE CARNEGIE, the younger, was born c. 1372. He acquired the lands of Kinnaird, Carcary, and part of Balnamoon. The earliest document in which his name appears is a still extant wadset in his favour by Richard Ayre, dated Eve of St. Michael (28 September) 1401, by which, for an advance of ten merks, Duthac obtained a letter of wadset of one-sixteenth part of Little Carcary, one-eighteenth part of Kinnaird, and forty pence of annualrent of Balnamoon, in the county of Forfar.[4] Eight years later Duthac de Carnegie acquired the 'lands of half of the town of Kynnard and the superiority of the brewery of the same,' from Mariota of Kinnaird.[5] She resigned the lands into the hands of the Regent (Duke of Albany), who regranted them to Duthac by a charter under the Great Seal dated 21 February 1409-10.[6]

Mariota was one of three coheiresses, and is understood to have married Duthac, conveying to him her portion of the estate, but no evidence of the marriage is to be found. The other two coheiresses married respectively David Panter of Newmanswalls and William Cramond of Aldbar, who were for some time joint lairds of Kinnaird, or parts of it, with Duthac.[7] This estate has been held by the family of Carnegie uninterruptedly since 1409, except for a period of

[1] Letters at Panmure. [2] *Reg. Episc. Aberd.*, ii. 284, and 1367 deed at Glamis. [3] *Reg. Episc. Brechin*, i. 85; ii. 18. [4] Original letters of wadset at Kinnaird. [5] Old copy of the charter at Kinnaird. [6] *Reg. Mag. Sig.* [7] *History of Carnegies*, by Sir W. Fraser.

about thirty years, whilst the lands were under forfeit after the rising of 1715. In 1410 Duthac de Carnegie and his two co-proprietors had a dispute with Walter, Bishop of Brechin, concerning their respective rights to the moor of Farnell. The Bishop had the best of the dispute, which was decided by the Sheriff of Forfarshire. In an instrument relating to the moor Duthac is styled 'nobilis vir, Duthacus Carnegy unus dominorum de Kynnarde.[1] The next year Duthac espoused the royal cause when Alexander Stewart, Earl of Mar, marched against the rebellious Lord of the Isles, and on 24 July 1411 he was killed at the battle of Harlaw. He was succeeded by his infant son,

Walter de Carnegie, second of Kinnaird. The first mention of him on record is in a charter dated 8 January 1438-39, by which John 'filius clerici' son and heir of Mariota Tenand conveyed 'consanguineo meo' Walter de Carnegie one-sixteenth part of Little Carcary, one-eighth of Kinnaird and his annualrents from Balnamoon.[2] On 2 June 1446 the seal of 'Wat of Carnegy' was appended to a lease by Janet of Ogilby of the lands of Marytown.[3]

Walter Carnegie of Kinnaird appears as a juror at the adjustment of the marches of Menmuir between the Bishop of Brechin and John de Culace on 12 and 13 October 1450.[4] In 1452 he took arms with the King's troops under the Earl of Huntly against the Earl of Crawford (Earl Beardie), and after the battle of Brechin on 18 May of that year Crawford burned Kinnaird, and the family records preserved there were destroyed. Walter complained of this to King James II., who ordered an 'Inquisition of knowledge' into the circumstance, charging the Sheriff of Forfar to make inquiry by inquest how Walter Carnegie held these lands. A contemporary transumpt of the verdict[5] of the inquest states, 'That the elderis of Wat of Carnegy held the landis of Kynnard and Litill Carcary with thair pertinents liand in the thaynedome of ald Munroes within the schirefedome of Forfare of the predicessovris of ovre Lorde the Kynge and of ovre Lorde the King that

[1] *Reg. Episc. Brechin*, i. 27, 29-32. [2] Original charter at Kinnaird; *History of Carnegies*, by Sir W. Fraser, Appendix, 514. [3] *Reg. Episc. Brechin*, i. 108. [4] *Ibid.*, i. 148-150. [5] Kinnaird Writs.

now is, and [th]at the said Wat holdis the saidis landis of the Kyng for the servise of the kepeing of the Kyngis ale sellare within the schirefedome of Forfare, quhen the Kyng hapings to reside thair and quhen he is lavfuly warnyt and for a penny in name of blanche ferme an it be askyt. . . .'

It may be mentioned in this connection that it is probably owing to the tenure on which Kinnaird is held, viz. keeping the King's ale cellar in Forfarshire, that the Earls of Southesk bear a covered cup upon the breast of the eagle of their armorial shield. The supposition which has obtained almost universally that they are the 'King's cupbearers in Scotland' seems to be supported by no documentary evidence, and there is no record of a claim having been put forward at any sovereign's coronation.

On 21 December 1461 Walter de Carnegie received a charter of an annualrent of two merks out of the lands of Cookstown,[1] and he died before 24 May 1479, on which day his son John was infeft as his heir in the lands of Kinnaird and Carcary.[2] It is not known whom Walter married, but his wife was probably a Lindsay, as David, fifth Earl of Crawford, afterwards Duke of Montrose, calls John Carnegie, Walter's son, 'Richt wel belufit Cusing' in a grant of lands of Tulibirnys in 1480.[3] Walter had two sons:—

1. John, who succeeded him in Kinnaird and Carcary.
2. *Walter*, who with his father witnessed a declaration concerning the marches of Menmuir on 13 October 1450.[4] This is the only mention of him known to be in existence, and he probably died unmarried.

John Carnegie, third of Kinnaird. He was infeft in Kinnaird and Carcary on 24 May 1479, and on 4 November 1480 he received the lands of Tulibirnys, in the lordship of Glenesk, from the Earl of Crawford, 'during all the days of the life of the Earl,' in exchange for a letter of manrent and service.[5] He lived a peaceful life, mostly at Kinnaird, and died on or about 15 April 1508, as appears from the retour of his son John as heir to him, which bears that the lands had been in non-entry for the space of a month or

[1] *Reg. Episc. Brechin*, ii. 99. [2] Original document at Kinnaird.
[3] Original grant at Kinnaird. [4] *Reg. Episc. Brechin*, i. 148, 150.
[5] Original grant at Kinnaird.

thereby before 16 May 1508.[1] He married a lady of the name of Waus, very probably of the family of Waus of Many, and had issue, at least one son,

John Carnegie, fourth of Kinnaird. He was infeft in the lands of Kinnaird and Little Carcary on 7 June 1508, and on 26 November of that year he gave 'unum equum grosii coloris venerabili viro domino Johanni Erskin vicario de Abirlemno . . . pro le herzeld quondam Johannis Carnegy de Kynnaird sui patris.'[2] He took up arms on behalf of King James iv. during the invasion of England, which terminated in the battle of Flodden, where he was amongst the Scottish killed.

He married, before 15 March 1509-10, Euphame Strachan; on that date they, as spouses, received from Alexander Jamesone a charter of his fourth-part of the lands of Cookstown, in the barony of Roscoby and shire of Forfar.[3] She survived her husband, as appears from the retour of their son Robert, dated 7 November 1513, when she was in possession of her terce. John Carnegie left one son and one daughter:—

1. Robert, who succeeded.
2. *Janet*, married to William Maule of Auchrinnie, with issue.

Sir Robert Carnegie, Knight, fifth of Kinnaird. He was not of age when his father was killed, but nevertheless was served heir to him, about two months after his death, in virtue of the Act of 24 August 1513, which provided that the heirs of those who fell in the campaign should be entitled, even though under age, to enter heirs to their ancestors, and without payment of the usual feudal casualties.

During his lifetime Robert added largely to his possessions in the county, where he acquired Ethie, Idvy, Auchquhandlen, Fethies, Balnamoon and others, besides properties in the counties of Edinburgh, Linlithgow, Fife, and Aberdeen.[4] He also made large additions to the mansion-house at Kinnaird. On 4 July 1547 he was ap-

[1] Retour at Kinnaird. [2] *Reg. Episc. Brechin*, ii. 161. [3] Charter at Kinnaird. [4] *Ibid.*

pointed a Senator of the College of Justice by the Regent, the Earl of Arran, with the title of Lord Kinnaird, and became a Privy Councillor at about the same time.[1]

In 1548 the Regent sent Robert Carnegie to England as his special ambassador to treat for the ransom of the Earl of Huntly, who had been taken prisoner at the battle of Pinkie.[2] In this mission he was entirely successful, and on his return Huntly, to show his gratitude, entrusted him with the custody of the Great Seal; and when, in 1550, Robert went to France, Huntly granted him a discharge of all sums he had received for the Seal, and also assigned to him the profits and duties of the Great Seal until his return.[3]

In 1550 the Earl of Arran sent Robert Carnegie as Ambassador-Extraordinary to the French Court to thank the King, Henri II., for rendering assistance to Scotland in the war against the English. He received for his travelling expenses £500 Scots.[4]

Before going to Paris he had been one of the Commissioners for Scotland to conclude the peace with England. In 1553 he was appointed a Commissioner to treat with the English concerning Border disturbances. He was knighted between 18 September and 4 December 1553.[5] In 1556 he was sent to England as ambassador, under letters of safe-conduct from the King and Queen of England, by the new Regent (Mary, Queen-Dowager of Scotland). The object of this embassy was to appoint Commissioners to settle the constant Border disputes, and to arrange for a permanent peace. The Commissioners, of whom Sir Robert was one, met at Carlisle in 1557, but it is doubtful if their endeavours had much practical effect on Border warfare.

A few months before his death Sir Robert was appointed by Queen Mary to treat with Queen Elizabeth regarding the contemplated marriage with Darnley, but he did not live to execute this mission. Sir Robert attended the Privy Council Board with great regularity until within a

[1] *Senators of the College of Justice*, 90; Pitmedden MS. [2] Lesly's *Hist. of Scotland*, 220-222. [3] Discharge at Kinnaird. [4] *High Treasurer's Accounts*, Register House, Edinburgh. [5] *P.C. Reg.*, i. 150; *Cal. of Scottish Papers*, i. 193.

month of his death.[1] He held the post of 'Clerk of our Soueraine Ladyis Thesaurar' in 1549-50, for which duties his salary was £26, 13s. 4d.; he was also Collector-General of Temporal Taxation during the Regency of Mary, Queen-Dowager.

In addition to these public offices, Sir Robert had a gift of the ward and marriage of Elizabeth Ramsay, the heiress of Leuchars, in Fife, whose father had been killed in the battle of Pinkie in 1547. She, when of age, was to marry to the satisfaction of Sir Robert, which resulted in her marriage to his second son David, thus bringing the lands of Leuchars and Colluthie into the Carnegie family.

In 1565 Sir Robert resigned his lands of Kinnaird in favour of his eldest son John, who obtained a royal charter on 25 March of that year.[2]

Sir Robert made two wills, one on 1 April 1557, and the other on the day of his death, 5 January 1565-66. The second will is holograph of Mr. Jhone Ure, minister at 'Luchris.' It was confirmed by the Commissary of Edinburgh on 26 June 1566. He left his widow 'Executrix and onely intromissetrix with all his guddis and gair.'[3] Sir Robert, who was buried in the church of Leuchars, was survived by his widow, who lived till April 1571, leaving a will, dated 10 of that month, in which she nominated her eldest son, Sir John, and her second son, David, as her executors. Sir Robert had married Margaret, a daughter of Guthrie of Lunan, prior to 12 June 1527, when he resigned the lands of Cookstoun for new infeftment in favour of himself and Margaret Guthrie conjunctly.[4] Of this marriage there were eight sons and eight daughters:—

1. Sir John, who succeeded him in Kinnaird and Carcary.
2. David of Colluthie, who succeeded his brother Sir John.
3. *John* of Many, in Aberdeenshire. He married Margaret, daughter of John Waus of Many, who granted a charter on 22 January 1556-57 to John Carnegy, third son of Robert Carnegie of Kinnaird, Knight, and to Margaret Waus, his spouse, in conjunct infeftment, and the heirs of the marriage, of the lands and

[1] *P. C. Reg., passim.* [2] *Reg. Mag. Sig.* [3] *Hist. of Carnegies*, by Sir W. Fraser. [4] Original discharge at Kinnaird.

barony of Many and others.[1] John Carnegie resigned the lands in favour of his brother Sir John, from whom they passed eventually to David, Lord Carnegie, who in 1618 sold them to a Mr. William Forbes. No mention of any issue of his marriage has been found. He raised an action of divorce against his wife in 1565.[2]

4. *Mr. Robert*, who was preceptor of the Maison Dieu at Brechin, and parson of the parish of Kinnoull, in the county of Perth. He died in April 1597, at the Grange of Balmerino, in Fife, leaving a will, dated 4 March 1595-96, in which he bequeathed all his personal estate to his brother, David Carnegie of Colluthie.[3] Though he is usually said to have died unmarried, the division of his estates by the Commissary into two parts raises a presumption that he had a wife, and it may be noted that Elizabeth Wemyss, daughter of Sir John Wemyss of that Ilk, and widow of David Balfour of Monquhannie, is in February 1593-94, styled wife of Mr. Robert Carnegie.[4]

5. *James*, who received a charter of the lands of Balmachie from his brother David, dated 1 June 1563. His wife's name was Christian Bruce, and they as spouses received, on 14 May 1575, from John Carnegie of that Ilk (a natural son of Sir Robert), a charter of eleven acres of arable land in Punderlaw, in the barony and regality of Aberbrothock.[5] His death occurred before 1 March 1597, when his son David is styled 'of Balmachie.' He left four children:—

(1) *David.*

(2) *John*, who received 1000 merks by the will of David Carnegie of Kinnaird, dated 19 April 1598. In 1599 he granted a discharge for this sum.

(3) *Margaret*, married to Patrick Falconer.

(4) *Agnes*, married to Patrick Livingstone, brother of John Livingstone of Dunipace.

David Carnegie succeeded his father in Balmachie. He married Margaret Livingstone, and with her had, on 29 July 1599, a charter of novodamus of the lands of Balveny

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[1] Confirmed 25 January 1556-57, *Reg. Mag. Sig.* [2] *Edinburgh Commissary Decreets*, ii. 92. [3] Original will at Kinnaird. [4] Original Charter at Panmure. [5] *Reg. Mag. Sig.*

and Balglassie, in Forfarshire, on David's resignation.[1] Their great-great-great-grandson, James Carnegie, sold Balmachie in the year 1772 to one Captain David Reid.[2]

6. *Hercules*, who died in 1565, had a son,

(1) *David*, who, in 1610, purchased from William Mauld of Edinburgh the lands of Cookstoun.[3] He left two sons:—

i. *Alexander*, who succeeded him in the lands of Cookstoun in the year 1634. He married Margaret Livingston, by whom he had nine sons and five daughters. Alexander's great-grandson, David Carnegie, sold Cookstoun in the year 1723.[4]

ii. *David*, Dean of Brechin, who was born about 1594, purchased the lands of Craigo, in Forfarshire, and was the ancestor of that branch of the family. He died in 1672, having married Helen, daughter of David Lindsay, Bishop of Brechin; by her, who died 18 July 1656, he had issue:—

(i) *David*, who married a daughter of Lord Balcaskie, and died *s.p.*

(ii) *Mr. James*, minister, first of Redgorton and afterwards of Barrie; died 6 December 1701, having married Ann Gardyne, who succeeded him.

(iii) *Mr. Robert*, a minister, who died unmarried.

(iv) *Agnes*, married to Robert Paterson, Principal of Marischal College, Aberdeen.[5]

In 1902, on the death of the last surviving Miss Carnegie of Craigo, the estate passed to the late Sir George Macpherson Grant of Ballindalloch.[6]

7. *William* of Leuchland, in the parish of Brechin. In his father's will, dated 1 April 1557, William is called his youngest son, and being then under age, his brother David was appointed tutor to him. On 15 June 1585 William Carnegie granted a discharge for the redemption of the lands of Cookstoun, which were sold to him under reversion.[7] In 1612 he purchased from David Lindsay of Edzell the 'shadow half' of the town and lands of Leuchland.[8] He died before 17 January 1625, when his son Robert is referred to as 'of Leuchland,'[9] leaving two children, a daughter

[1] *Reg. Mag. Sig.* [2] For the intermediate generations of the family of Carnegie of Balmachie, see Fraser's *Carnegie Book*, ii. 435. [3] *Reg. Mag. Sig.*, 2 August 1610. [4] For the intermediate generations of the Carnegies of Cookstoun, see Fraser's *Carnegie Book*, ii. 437. [5] *Hist. of Carnegies*, by Sir W. Fraser, ii. 348. [6] For intermediate generations, see *ibid.*, 438 *et seq.* [7] Original discharge at Kinnaird. [8] Discharge by David Lindsay, dated 24 September 1612, at Kinnaird. [9] Extract from Commissary Register of Brechin 20 January 1625.

Katherine, and a son *Robert*, who married Marjorie, daughter of Wedderburn of Blackness, by whom he had three sons and five daughters. Robert died in 1647.[1] Leuchland now forms part of the Kinnaird estates.

8. *George.* Little is known of him, except that he married and left a daughter *Catherine.* He died before 2 November 1580, on which date Catherine granted to her uncle, Sir John Carnegie of Kinnaird, a letter of reversion of the 'schaddow half' of the lands of Little Carcary, to which is appended her seal showing an eagle displayed surmounting a barrel, with the legend 'S. Kat . . . Carnegy';[2] and on the same date she granted him a discharge of certain claims.[3]
9. *Helen*, married to William Lundie of Benholm. On 25 June 1551, they as spouses received a Crown charter of the lands of Tullo and Inchmeddan in Kincardineshire on William Lundie's resignation.[4] William Lundie died shortly after the marriage, and she was married, secondly, to Robert Turing of Foveran. She received, on 28 July 1580, a Crown confirmation of a charter of the lands of Blackhillock in liferent, granted by her husband in 1569. He is described in the confirmation as 'quondam Robertus de Foverne.'[5] She was married, thirdly, to John Gordon of Glenbucket.[6]
10. *Elizabeth*, married (contract 7 August 1553) to Andrew Arbuthnott of that Ilk.[7] She died on 28 October 1563.
11. *Katherine*, married to David Ramsay of Balmain. They as spouses received a charter from King James VI. of the lands of Wester Strath, dated 28 October 1576, and another charter of novodamus of the barony of Balmain, dated 12 August 1588.[8] They had a son *David* who succeeded to Balmain about the year 1625. From him in the female line is descended the present Sir Herbert Ramsay, Bart.,

[1] Minute relative to the business of his heirs, dated 28 November 1649, at Kinnaird. [2] Original reversion at Kinnaird. [3] Original contract at Panmure. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] Protocol Book of J. Robeson, 22. [7] Cf. vol. i. 297. [8] *Reg. Mag. Sig.*

of Balmain, as also was the late Dean Ramsay, of Edinburgh, the author of *Recollections of Scottish Life and Character.*

12. *Isabel*, married to Gordon of Glenbucket in Aberdeenshire.
13. *Jean*, married to Gilbert Reid of Collieston in Forfarshire. They received a Crown charter of the lands of Little Drumquhendill in Aberdeenshire on 1 August 1548.[1]
14. *Mary*, married to Strachan of Carmyle.
15. *Christian*, mentioned only in her father's will of 1 April 1557, by which she received two special sums of 400 merks each.
16. *Margaret*, married (contract 13 June 1565) to Sir James Scrymgeour of Dudhope, Constable of Dundee.[2] She died 9 January 1575-76.

Besides these sixteen legitimate children Sir Robert Carnegie left a natural son,

John Carnegie, sometimes designated of Seaton, but more often 'of that Ilk,' because he purchased, on 26 May 1564, the lands of Carnegie from Thomas Maule of Panmure, whose father had acquired them from James Carnegie of that Ilk in 1527;[3] he also acquired the barony of Dunichen and the lands of Ochterlony and Crechie.[4]

In 1570 John Carnegie was forcibly ejected from Seaton by George Douglas, afterwards Bishop of Moray, and a great company of soldiers. He raised an action of spulzie in the Court of Session against Douglas and the others; to aid him in which action he applied for a special Act of Parliament, which was granted on 29 November 1581.[5] John Carnegie died in December 1604; and on 11 April 1649 David Carnegie of Balmachie was served heir of tailzie to him in eleven acres of Punderlaw and Deischland; the lands had been in non-entry for forty-four years and three months in the hands of the Marquess of Hamilton, the superior.[6]

[1] *Reg. Mag. Sig.* [2] Cf. vol. iii. 363. [3] *Reg. Mag. Sig.* [4] Baron Court Book of Dunichen at Kinnaird. [5] *Acta Parl. Scot.*, iii. 233. [6] *Retours, Forfar*, 308.

John married Catharine Fotheringham about 16 April 1562, on which date she, as his future spouse, was infeft in the lands of Punderlaw and others in the parish of Arbroath.[1] By her he had three children:

(1) *Robert*, usually designated 'of Balnabreich,' who married Margaret, daughter of Patrick Ogilvy of Inchmartine. He predeceased his father before 1593, without lawful issue, though he left a natural son *James*, who witnessed a discharge by Robert Carnegie of Dunichen on 31 July 1605. This James obtained a legitimation on 10 February 1592-93.[2]
(2) *Catherine*, who was abducted whilst in Edinburgh by James Gray, son of Patrick, Lord Gray, in 1593.[3] She afterwards was married to Sir John Hamilton of Lettrick.
(3) *Marion*, was married to Gilbert Gray of Bandirrane. Her tocher was 3000 merks.

Sir John Carnegie, sixth of Kinnaird and Carcary. Sir John zealously espoused the cause of Queen Mary, joining the army of the Earl of Huntly, for which offence his Castle of Kinnaird was temporarily taken away from him by the Regent, James, Earl of Moray,[4] and given into the custody of James Halyburton, Provost of Dundee, and by him handed over to John, Lord Glamis. In consequence of these misfortunes Sir John received from Queen Mary a very gracious letter of sympathy, dated at Chatsworth 9 June 1570.[5] After the assassination of the Earl of Moray, the Queen's friends thought that there was an opportunity for a rising in her favour, and a raid was organised for 1 October 1571, in which Sir John does not seem to have taken part. He apparently spent most of his life managing his property, and died in February 1595-96.[6]

Sir John married, first, Agnes, daughter of David Wood of Craig. They as spouses received a Crown charter of the lands of Erlesfield, Seggyden, and others in Aberdeenshire, dated 6 December 1546,[7] and also a charter of the lands of Banquhry, Balbardy, and others in Fife, dated 12 February 1549-50. By her, who died on 2 March 1586, he had one daughter,

Margaret, married to Patrick Kinnaird of that Ilk. (*See*

[1] Original Deed at Kinnaird. [2] *Reg. Mag. Sig.* [3] Pitcairn's *Criminal Trials*, 297. [4] *Acta Parl. Scot.*, iii. 62. [5] Letter at Kinnaird. [6] Edin. Tests. [7] *Reg. Mag. Sig.*

title Kinnaird.) She predeceased her husband before 5 February 1598.

Sir John married, secondly, Margaret Keith, daughter of William, Master of Marischal, widow of William Keith, younger of Ludquharn, by whom he had no issue. She survived her husband and was married, thirdly, to Sir William Graham of Braco.[1]

Sir John had also an illegitimate daughter *Margaret*, to whom letters of legitimation were granted on 28 July 1580.[2]

David Carnegie of Colluthie, and seventh of Kinnaird and Carcary. Having been provided by his father with the estate of Panbride, in Forfarshire, he was for some time designated 'of Panbride,' but after he married Elizabeth Ramsay, his father's ward, he was known as 'David of Colluthie,' which designation adhered to him till his death, although he was three years in possession of Kinnaird. Brought up to the law, David Carnegie was appointed on many important commissions by King James VI. In 1578 he was appointed one of the commissioners on the Laws,[3] and sat on many other commissions up to the time of his death.[4] He was made a Privy Councillor 6 November 1588,[5] and was re-appointed to the new Council under Chancellor Maitland in 1592.[6] From 1580 till his death he took a great interest in the affairs of the Church. He was one of the King's Commissioners to the General Assembly held at Edinburgh 24 April 1583.[7] He founded a bursary at the College of St. Leonard's, in St. Andrews, and on 25 July 1592 obtained a Crown charter of the patronage of the bursary, and of the lands of Middle Drummies and Greenden for the support of the bursar.[8]

Early in 1596 David Carnegie was appointed one of the Extraordinary Commissioners of the Exchequer, who were known as 'Octavians.' He died on 19 April 1598, possessed of moveable estate of over £14,000. His will, dated 18 April 1598, is preserved at Kinnaird. Archbishop Spottiswoode speaks of him as 'Mr. David Carnegie of Colluthie,

[1] *Ante*, vol. vi. 49. [2] *Reg. Mag. Sig.* [3] *Acta Parl. Scot.*, iii. 105. [4] *Ibid.* [5] *P. C. Reg.*, iv. 326, where he is erroneously called John. [6] *Ibid.*, 750. [7] Calderwood's *Hist.*, Wodrow ed. [8] *Reg. Mag. Sig.*

a wise, peaceable, and sober man, in good credit and estimation with the King, and taken into his Privy Council for his skill and knowledge in civil affairs.'[1] David Carnegie married, first, Elizabeth Ramsay, who died about February 1566-67,[2] leaving two daughters:—

1. *Elizabeth*, who was served elder heir-portioner to her mother on 31 July 1567, in her half of the lands of Leuchars Ramsay, in Fife.[3] On 14 November 1579 the Commissary of St. Andrews issued an act of curatory narrating that she was past fourteen years of age, and providing her with curators in the persons of Sir John Carnegie of Kinnaird, James Carnegie of Balmachie, and John Carnegie of that Ilk, her nearest of kin, and the next day she was married to John Inglis, younger, of Inglistarvit.[4] From one of her daughters, Catherine, was descended George Martine of Clermont, the genealogist. She conveyed her half of Leuchars to her father in respect of large sums which he had paid to her, and also in respect that he had the right by virtue of the Courtesy of Scotland, to brook and possess her whole lands during his life.[5] Her tocher was £4000 Scots.[6] Her father resigned the lands and received a Crown charter of the barony of Leuchars Ramsay and others, on 23 January 1588, and was infeft the following March.[7]
2. *Margaret*. On 31 July 1567 she was served heir-portioner to her mother in her half of the lands of Leuchars,[8] and conveyed them to her father by charter dated 12 February 1582-83.[9] She was married (contract 10 January 1582-83) to William, son of Archibald Dundas of Fingask, in the county of Perth. Her tocher was £4000 Scots. She died *s.p.* on 4 September 1589, and on 12 November following her sister Elizabeth was served heir to her in the lands of Balmedesyde and Pittaquhop.[10]

David Carnegie married, secondly (contract 4 October

[1] Spottiswoode's *Hist.*, folio ed., 455. [2] In the daughters' retour, 31 July 1567, she is said to have been dead about six months. [3] *Retours, Fife*, 63. [4] Contract, dated at Leuchars 15 November 1579, at Kinnaird. [5] Extract contract at Kinnaird. [6] Discharge 7 January 1583, by Alexander Inglis, of Inglistarvit, at Kinnaird. [7] Instrument of sasine at Kinnaird. [8] *Retours, Fife*, 64. [9] *Reg. Mag. Sig.* [10] Retour extract at Kinnaird.

1568[1]), Euphame, daughter of Sir John Wemyss of that Ilk. By her he had issue:—

3. DAVID, first Earl of Southesk.
4. *John*, first Earl of Northesk. (*See that title.*)
5. *Robert*, afterwards Sir Robert Carnegie of Dunnichen. He received a Crown charter, dated 1 March 1595-96, of the lands of Dunnichen, Ochterlony, Crawquhy, Newton, and Corstoun, which his father resigned in his favour. He also acquired Nether Caraldstane, near Brechin.[2] On 31 July 1605 he granted a discharge to his brother David of all he could claim at his father's death.[3] He married Isabel (contract 23 and 30 July 1623), the youngest daughter of Patrick, Lord Gray, with a tocher of 8000 merks. He died *s.p.* in December 1632, when his eldest brother inherited the barony of Dunnichen, and the second brother, John, received Nether Careston.[4]
6. *Alexander*, who in 1628 is designated of Vayne.[5] He had charters of the half lands of Ballinbreich, Haltown of Menmuir and Pitforkie.[6] On 3 March 1632 he acquired the lands and barony of Balnamoon from John Collace.[7] He had acquired Careston before 1631, for on that date he is mentioned as proprietor in a grant of the teinds to the church there.[8] He received the honour of knighthood, and died in October 1657, having married Giles Blair of Balthayock, by whom he had two sons:—

(1) *David*, who predeceased his father.

(2) *John*, second of Balnamoon, who was a man of extravagant tastes, and was obliged to sell Careston to Sir John Stewart of Grantully. He was knighted; married, first (contract 23 November 1642), Elizabeth, daughter of James, Earl of Airlie, by whom he had a son:—

i. JAMES, of whom afterwards.

Secondly,[9] he is said to have married a daughter of Graham of Claverhouse, and had by her a son:—

ii. *Alexander*, who was a captain in the Earl of Dumbarton's regiment in France, and afterwards Sheriff

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[1] Wemyss Castle Writs. [2] *Reg. Mag. Sig.* [3] Original discharge at Kinnaird. [4] *Retours, Forfar*, 369, 371. [5] Fraser, *Carnegie Book*, ii. 431. [6] *Reg. Mag. Sig.*, 31 December 1595, 7 December 1633, 10 March 1642. [7] *Ibid.* [8] *Reg. Episc. Brechin*, ii. 311. [9] Macfarlane's *Gen. Col.*, ii. 181.

of Angus 1684-87.[1] He died 1691, having married Jean Erskine, daughter of James, Earl of Buchan, with issue.

Sir John Carnegie had also two daughters:—

iii. *Elizabeth*, married to John Guthrie of that Ilk.

iv. *Cecil*, died unmarried.

James Carnegie, third of Balnamoon, who succeeded his father Sir John, was served heir to his uncle David, on 4 November 1662, while he was a minor.[2] He died on 25 April 1700, having married, first, Margaret, a daughter of Sir Alexander Carnegie of Pittarrow, and secondly, Jean, a daughter of David Fothringham of Powrie, widow of John Carnegie of Boysack. By his first marriage he had issue:—

i. *James*, who succeeded him in Balnamoon.

ii. *Alexander*, who succeeded James.

iii. *Elizabeth*, born on 10 November 1684, and married to John Graham of Balgowan.

James Carnegie, fourth of Balnamoon, was served heir to his father 1 August 1700.[3] He died, unmarried, on 5 April 1704, and was succeeded by his brother Alexander.

Alexander Carnegie, fifth of Balnamoon, was forfeited for joining in the Stuart rising of 1715, and in a Grantully entail dated 31 May 1717 he is described as 'late of Balnamoon.' He re-acquired the property at a public sale on 13 November 1728. He married, in 1711, Margaret, daughter of David Graham of Fintray, and died before 10 October 1750, leaving a large family:—

i. James, who succeeded him in Balnamoon, and eight other sons, who all died, without issue, before their brother James.[4]

He had also three daughters:—

x. *Margaret*.

xi. *Anne*, married to a James Knox, by whom she had a son Andrew Knox of Keithock, of whom later.

xii. *Elizabeth*.

James Carnegie, sixth of Balnamoon, was a prominent supporter of the Stuarts in the rising of 1745, and was commonly known as the 'Rebel Laird.' He died in 1791, having married Margaret Arbuthnott, the heiress of Findowrie (contract 26 August 1734), when he assumed the additional surname of Arbuthnott. By her he had five sons and five daughters:—

i. *Alexander*, born in 1736, and died the same year.

ii. James, who succeeded him.

iii. *Alexander*,
iv. *Charles*,
v. *John*. } who all went to the East Indies, and there predeceased their brother James, *s.p.*

vi. *Margaret*.

vii. *Jean*.

viii. *Elizabeth*.

ix. *Anne*.

[1] Martine's ms. [2] *Retours*. [3] *Ibid*. [4] Bond of provision in favour of younger children, dated 6 November 1746 at Kinnaird.

x. *Helen*, who was married to her cousin Andrew Knox of Keithock, the son of her aunt Anne, by whom she had a son :—

James Carnegie Knox, of whom later.

James Carnegie Arbuthnott, seventh of Balnamoon, was born on 26 June 1740, and emigrated to Sweden, where he became a merchant at Gottenburg. He died unmarried in 1810, and was succeeded by his nephew James Carnegie Knox, whom he had named as his sole executor in a will dated 12 December 1809.

James Carnegie Knox, eighth of Balnamoon, took the surnames of Carnegie Arbuthnott. He died 12 April 1871, having married Anne, daughter of David Hunter of Blackness, by whom he had four sons, who all predeceased him unmarried, and four daughters, the first two of whom, Anne and Helen, succeeded in turn to Balnamoon, and died unmarried; on the death of Helen she was succeeded by her sister Mary Anne Jemima, who was married to Arthur Risden Capel, who added the surnames of Carnegie Arbuthnott to his own name of Capel. She died 1 February 1906, leaving issue:—

i. James, who succeeded.
ii. *Harold*, born 11 June 1868.
iii. *Mary Anne.*
iv. *Margaret*, married, 15 November 1894, to Arthur, son of General W. T. Layard.
v. *Evelyn Frederica*, married, 17 April 1894, to Constantine Albert Ionides.
vi. *Edith Alice*, married 12 April 1899, to Malcolm, son of William Galloway of Cheshunt.

James Carnegie Capel Carnegie Arbuthnott of Balnamoon was born 31 May 1864; he married, on 5 April 1894, Ethel Lydia, daughter of Arthur Gibson Hill, by whom he has issue :—

i. *Helen Mary.*
ii. *Enid.*
iii. *Elizabeth.*

Mr. David Carnegie of Colluthie had also four daughters:

7. *Jane*, married (contract 25 April 1590) to James Carmichael of Balmedie in Fife, with issue. Her tocher was £1000.
8. *Katherine*, married to John Aytoun of Kinnaldie. Her marriage-contract bears the same date as that of her sister Jane,[1] and she had a tocher of £1000 Scots. One of her sons was Andrew Aytoun, a Senator of the College of Justice, elected in 1661 with the title of Lord Kinglassie.[2]

[1] Contracts at Kinnaird. [2] Brunton and Haig.

9. *Agnes*, married to Alexander Falconer, younger of Halkertoun, in the Mearns, on 26 December 1594. Her tocher was 8800 merks.
10. *Euphame*, married (contract 15, 16, and 20 October 1599) to Robert Graham, younger of Morphie, a grandson of Sir Henry Graham of Morphie.

Mr. David Carnegie married, thirdly (contract 26 April 1594 at Kinnaird) Janet Henrison, widow of Alexander Guthrie, Common Clerk of Edinburgh,[1] but by her, who survived him, had no issue.

I. Sir David Carnegie of Kinnaird and Colluthie was born in the year 1575, and in 1598 succeeded to the family estates. About 1601 he apparently intended to travel abroad, for on 9 July of that year King James VI. granted permission for him and two companions—John Scrymgeour apparent of Dudhope, and Dauid Ramsay of Fascay, and two servantis with them in company—'to departe and pas furth of our realm toward the pairtis of England, France, Flanderis and utheris pairtis bezond sey, thair to remayne for thair bettir sicht, and doing thair uther lesum effairis and besines at thairs plesour, during the space of twa zeiris nixt to cum eftir the dait heirof,' etc. It is not certain whether David Carnegie ever carried out this intention, for he was at Kinnaird within the two years allowed him by the King. In 1602 the King paid a visit to Kinnaird and hunted in Montreathmont (Monrummon) Muir.[2]

On 10 April 1603, when on his way to England after the death of Queen Elizabeth, the King wrote from Newcastle to 'Our richt traist friend, the Laird of Kynnaird in Angus,' requesting him as 'ane in special' to accompany 'our dearest bedfellow the Quene and our childrene' to London.[3] This mission he performed, and for his services received the honour of knighthood from the King. In the Parliament of 11 July 1604 Sir David Carnegie was nominated one of the commissioners who were appointed to consult upon a perfect union of the two realms of England and Scot-

[1] Edin. Tests., 23 May 1600. [2] *Correspondence of King James VI. with Sir Robert Cecil.* Printed by the Camden Society 1861, Preface xlvi. [3] Original letter at Kinnaird.

land.[1] Sir David was a strong supporter of the King's policy of assimilating the form of church government in Scotland with that which existed in England, and on 25 May 1606 the King wrote him a letter thanking him for his services.[2] Between 1609 and 1612 he was frequently nominated on important commissions.[3]

As a reward for these services he was, on 14 April 1616, created LORD CARNEGIE OF KINNAIRD,[4] with remainder to his heirs-male bearing the name of Carnegy. Lord Carnegy was appointed an Extraordinary Lord of Session on 5 July 1616, which post he occupied until the King's death. He was made a Privy Councillor, 21 January 1617.[5] In that year the King paid another visit to Kinnaird, where he employed his time hunting on Montreathmont Muir from 22 to 30 of May.[6] At the General Assembly which met at St Andrews on 25 November 1617 Lord Carnegie was appointed one of the assessors to the Royal Commissioners.[7] He was also one of the three Royal Commissioners in the Assembly of 3 August 1618.[8] He was on many committees during the rest of the reign of James VI. and Charles I.

At the coronation of Charles at Holyrood Lord Carnegie was advanced to the dignity of EARL OF SOUTHESK, LORD CARNEGIE OF KINNAIRD AND LEUCHARS, by patent dated 22 June 1633, with remainder to his heirs-male for ever.[9]

As Earl of Southesk he took an active part in the ecclesiastical questions which arose in Scotland under King Charles I., and with his son Lord Carnegie strongly opposed the introduction of the service-book. In 1638 he acted as mediator between the Marquess of Hamilton and the Covenanters regarding the 'Castle Watch,' a guard set upon Edinburgh Castle by the Covenanters to prevent the garrison procuring more provisions than they required for their own use, lest they should overawe the town and force the

[1] *Acta Parl. Scot.*, iv. 263, 264. [2] Original letter at Kinnaird Castle. [3] *Acta Parl. Scot.*, iv. 409, 442, 454; Calderwood's *History*, vii. 58, 204; Original letter at Kinnaird Castle; *Acta Parl. Scot.*, x. 466-468, 473, 475. [4] Original patent at Kinnaird Castle; Minutes of Evidence, Southesk Peerage, 1848, p. 3. [5] *P. C. Reg.*, xi. 11. [6] Adamson's *Muses' Welcome*, 1618, 85-105. [7] *P. C. Reg.*, xi. 270 *n.* [8] *Ibid.*, 420. [9] Patent at Kinnaird.

prayer-book upon the inhabitants.[1] He performed many public functions, being *inter alia* Sheriff of Forfar for many years. He was fined £3000 by Cromwell's Act of Grace and Pardon for no other reason than wishing well to the King and the monarchy.[2]

In May 1656 Lord Southesk made a will in which he nominated his eldest son his sole executor.[3] He died at the end of February 1658 at the age of eighty-three, and was buried at Kinnaird on 11 March.[4] He married (contract 8 October 1595) Margaret, daughter of Sir David Lindsay of Edzell, with a tocher of 10,000 merks. By her, who died 9 July 1614, he had issue:—

1. *David*, Master of Carnegie, and afterwards Lord Carnegie, who, in 1613, married (contract 8 and 14 September 1613) Margaret, daughter of Sir Thomas Lindsay of Byres, afterwards Earl of Haddington, with a tocher of 20,000 merks. David Carnegie was only seventeen years of age at the time of his marriage. He died 25 October 1633, within six months of his father's advancement to the earldom, and was buried at Kinnaird. By his wife—who married, secondly, as his third wife (contract 30 January 1647), James, first Earl of Hartfell—he had issue:—

    (1) *Margaret*, married to Gavin, Master of Dalzell. (*See title* Carnwath.) Her tocher was 20,000 merks.

    (2) *Magdalene*, married, first, in 1636, to Gideon Baillie of Lochend.[5] She also had a tocher of 20,000 merks. She survived her husband, who was killed, 30 August 1640, by an explosion of gunpowder while with the Covenanting Army at Dunglass. She was married, secondly, to Sir John Crawford of Kilbirnie.

2. JAMES, who succeeded his father as second Earl of Southesk.
3. *Sir John* of Craig, who was provided by his father with the estate of Pittarrow, in Kincardineshire, which was afterwards handed over to his younger brother Alexander, when Sir John was provided with the barony of Craig, near Montrose; he was thereafter

[1] Baillie's *Letters and Journals*, i. 82-84. [2] Crawfurd's *Peerage*. [3] Will at Kinnaird. [4] Lamont's *Diary*, 105. [5] Contract at Kinnaird.

known as Sir John Carnegie of Craig. He died 22 November 1654, having married (contract 27 October 1632, at Kinnaird) Jane daughter of Sir John Scrymgeour of Dudhope. Her tocher was 12,000 merks Scots. By her he had two children:—

(1) DAVID, second of Craig.
(2) *Margaret*, married, in 1661, to George Dunbar of Inchbrayock and Aslisk.[1]

DAVID CARNEGIE of Craig contracted large debts and greatly encumbered the estate, which he settled on his cousin David Carnegie of Pittarrow, on condition of his debts, amounting to £59,000 Scots, being paid, under reservation of his own liferent and his wife's dowry. This settlement he challenged soon afterwards on the ground of circumvention and fraud; and it was set aside by Act of Parliament in 1661. James, the second Earl of Southesk, and David Carnegie of Pittarrow complained against this Act, which they petitioned Parliament to review, but it does not appear that they ever got any redress.

David Carnegie of Craig, married, 28 December 1654, Lady Catherine Wemyss, but had no issue. He died about 1663, and Lady Catherine, on 16 August 1664, was married to Sir Andrew Ker of Greenhead, whom she survived, and died on 24 February 1668 at Dysart, in Fife. Lamont records that 'she dyed without ishwe.'[2]

4. SIR ALEXANDER of Pittarrow, from whom the present Earl of Southesk is descended, and of whom afterwards.
5. *Margaret*, married (contract 3 October 1617) to William Ramsay, who succeeded his father as second Lord Ramsay and was created afterwards Earl of Dalhousie. Her tocher was 20,000 merks. She died in April 1661.
6. *Agnes*, married (contract 5 and 8 August 1620) to James Sandilands, yr. of St. Monance, in Fife, with a tocher of £10,000 Scots.[3] Her son was created Lord Abercromby. (*See that title.*)
7. *Katherine*, married (contract 14 September 1620) to Sir John Stewart of Traquair, with a tocher of 20,000 merks Scots. Sir John Stewart was created Earl of Traquair in 1633.
8. *Marjorie*, married, first (contract 31 October 1622, at Kinnaird), to William Halyburton of Pitcur, with

[1] Registers of the parish of Craig. [2] Lamont's *Diary*, 171. [3] Contract at Kinnaird Castle.

a tocher of 20,000 merks. She married, secondly, before 1639, Robert Arbuthnott of that Ilk, afterwards created Viscount Arbuthnott.[1] She died on 22 December 1651 and was buried at Bervie.

9. *Elizabeth*, married (contract April 1628) to Andrew Murray of Balvaird, afterwards Lord Balvaird. Her tocher was £10,000.[2]

10. *Magdalene*, the youngest daughter, married, 10 November 1629, to James, Earl and afterwards Marquess of Montrose, to whom Lord Southesk was guardian. By their marriage-contract, dated 1 November of that year, she was infeft in the liferent of the lands and barony of Old Montrose, the lands of Fullartone, and 'thrid pairt landis of Ananie,' and the lands of Marietoun with fishings, etc. Her tocher was £40,000 Scots.[3] It was further arranged that the young Marquess and his wife should live at Kinnaird for the first three years after their marriage. The Marquess was only seventeen years of age at the time of his marriage. His portrait by George Jameson, painted in his wedding suit, is at Kinnaird. The Marchioness predeceased her husband in November 1645, five years before the date of his execution in Edinburgh.

II. JAMES, second Earl of Southesk, styled Lord Carnegie after the death of his elder brother David. On 11 May 1658 he was served heir to his father in the lands of Kinnaird, etc., also to his brother David in the lands of Farnell, and his uncle Sir Robert Carnegie in the lands of Dunnichen, etc.[4] He was chosen a Commissioner by the Brechin Presbytery to the Glasgow Assembly in 1638, which commission the Earl of Montrose disputed; however it was sustained, and Lord Carnegie was one of the minority who voted against the continuance of the sittings.[5]

In 1639 Lord Carnegie commanded a squadron of cavalry in Montrose's army. He was also with General Leslie's army in England in 1640 and was present at the battle

[1] Cf. vol. i. 305. [2] Discharges of tocher at Kinnaird Castle. [3] Discharge for £20,000, date 30th May 1630, at Kinnaird Castle. [4] *Retours, Forfar*, 368, 369. [5] Gordon's *Hist. of Scots Affairs* (Spalding Club, Edin.), i. 109.

of Newburnford.[1] In 1644 Lord Carnegie joined the second expedition against the city of Aberdeen, heading the Angus contingent of the army, along with the Earl of Kinghorn. On 19 July of the same year Lord Carnegie was appointed a member of a Commission to superintend operations in the north of Scotland.[2] He ultimately, however, became a supporter of the Royalist cause, and in 1649 was a prisoner in England under Cromwell.[3] At the time of Charles I.'s execution he was in Holland, and on 15 May 1650 was, with several others, discharged to come home without liberty given from Parliament;[4] but he had returned before August 1652, when he was a Commissioner chosen to negotiate with the English Parliament for a complete union between the countries.[5] In 1658 he succeeded his father as Earl of Southesk. About the end of August 1660 Lord Southesk had the misfortune to kill his friend William, Master of Gray, by accident; and not, as Lamont says, and as is popularly supposed, in a duel.[6] After the Restoration he obtained a grant of the sheriffship of Forfarshire including himself and his son Robert for their joint lives.[7] He was also appointed a member of the Privy Council. He was present at the first Parliament of Charles II. in 1661, and was one of the Commissioners for Forfarshire under the Act of 29 March for raising an annuity of £40,000 for the King.[8] In that same Parliament an Act was passed enabling him to uplift the rents of Lochaber and Badenoch for payment of a year's annualrent of £58,028, 8s. 8d. Scots, for which his father was security for George, Marquis of Huntly, as tocher and arrear of interest with his daughter Lady Ann Gordon.

Lord Southesk's last appearance in Parliament was in 1669, the year of his death, when he protested, together with the Earls of Wemyss and Dumfries, that the calling of the Earl of Loudoun before them should not prejudice their precedency to him.[9] He was called the 'Black Earl' and got the credit of having learned magic at Padua.

[1] *Memorials of Troubles in Scotland and England* (Spalding Club), i. 153, 331; ii. 353. [2] *Acta Parl. Scot.*, vi. 119. [3] *Cromwelliana* by Michael Stance, 61. [4] Lamont's *Diary*, 17. [5] *Ibid.*, 46. [6] Fraser's *Carnegie Book*, 140, 141; Lamont's *Diary*, 68, 126. [7] Original warrant, 1643, at Kinnaird. [8] *Acta Parl. Scot.*, vii. 3, 94, 337-446, 527-545. [9] *Acta Parl. Scot.*, vii. 551.

Lord Southesk died at Kinnaird, in March 1669,[1] having married, first (contract 18 and 21 February 1629), Mary Ker, daughter of the first Earl of Roxburghe, and widow of Sir James Halyburton of Pitcur, with a tocher of 24,000 merks.[2] By her, who died at Leuchars in April 1650, he had issue:—

1. Robert, Lord Carnegie, who succeeded his father as third Earl of Southesk.
2. *Jean*, married, first (contract 26 June 1647), to James Murray, second Earl of Annandale. There was no issue of this marriage. She was married, secondly, on 9 August 1659 (contract 14 July 1659), to her cousin David, second Lord Balvaird and fourth Viscount Stormont.
3. *Catherine*, married to Gilbert, Earl of Erroll, 7 January 1658. Her tocher was 50 or 60 thousand merks. There was no issue of this marriage. He divorced her.[3] She was chief Governess to James, Prince of Wales, at St. Germains, at the time of her death in October 1693.[4]

Lord Southesk married, secondly, about 1661, Janet Adamson, who on 9 April of that year was infeft in a liferent of the lands of Leuchars.[5] By her, who died in June 1683,[6] he had no issue.

III. Robert, third Earl of Southesk, who was served heir to his father 5 May 1669.[7] He lived a great deal in France, and at one time held a captain's commission in Louis xiv.'s Scots Guards. The commission is dated at Chantilly the 24 July 1659.[8] He was imprisoned in Edinburgh Castle on 18 April 1666 for wounding the Earl of Linlithgow in a duel at Cupar.[9] He attended the Scottish Parliament in July 1670, June 1672, November 1673, and in 1681, and thereafter almost every year until his death. He was chosen as a commissioner for the counties of Forfar, Fife, and Kincardine for raising a new voluntary offer of £1,800,000 Scots which was granted by the Convention of Estates in 1678.[10] The office of Sheriff of Forfarshire was

[1] Lamont's *Diary*, 208. [2] Original contract at Kinnaird; Minutes of Evidence, Southesk Peerage, 38. [3] *P. C. Reg.*, 3rd ser., ii. 142. [4] Lamont's *Diary*, 104. [5] Minutes of Evidence, Southesk Peerage, 41. [6] Brechin Tests., 27 October 1687. [7] Retour at Kinnaird Castle. [8] Original Commission at Kinnaird Castle. [9] Lamont's *Diary*, 187-188. [10] *Acta Parl. Scot.*

conferred on him and his son Charles by a new grant dated 29 April 1682.[1] He was appointed colonel of the Forfarshire Militia by commission dated 2 December 1669. The Earl died at Edinburgh 19 February 1688, having married, before 7 July 1664,[2] Anna Hamilton, eldest daughter and coheiress of William, second Duke of Hamilton. Her portion was £30,000.[3] This lady figures in a well-known tale in the mendacious *Mémoires de Gramont*, where there is an engraving of her from a picture by Sir Peter Lely.[4] But fortunately Bishop Burnet, in his *History of My Own Time*,[5] refers to the offensive story, and of his own knowledge contradicts it in its worst details. Lady Southesk was separated from her husband, and living in Paris at the time of his death, from which place she wrote on 9 March 1688, to a Mr. Denis, her London agent, 'I have heard on all hands the news of the loss which I have sustained of a husband, whom I lament as much as he deserved.'[6] She remained in Paris till 1694, when she went to Brussels, where she died in October 1695. Her body was brought back and buried in Scotland 15 December following. Of this marriage there were two children :—

1. Charles, Lord Carnegie, who succeeded his father as fourth Earl.
2. *William*, who was born about 1662, and educated with his elder brother at St. Leonard's College, St. Andrews, where he matriculated on 28 February 1677. About four years later he travelled on the Continent, and while in Paris he was killed, on 23 November 1681, at the age of nineteen, by William Tollemache, the youngest son of the Duchess of Lauderdale, in a quarrel.[7] He is said to have been a convert, at his mother's instigation,[8] to Roman Catholicism. Tollemache was tried and condemned for his slaughter, but received a pardon from the King of France in January 1681-82, which bears that William Carnegie provoked the quarrel, and Tollemache killed him in self-defence. He died unmarried.[9]

[1] Original grant at Kinnaird Castle. [2] Postnuptial contract of marriage. [3] Minutes of Evidence, Southesk Peerage, 48. [4] *Mémoires de Gramont*, 177; Pepys's *Diary*, 6 April 1667. [5] Vol. i. 406. [6] Letter at Kinnaird. [7] Minutes of Evidence, Southesk Peerage, 14. [8] *Savile Correspondence*, Camden Club, 239. [9] Minutes of Evidence, Southesk Peerage, 15, 187, 190, 193.

IV. Charles, fourth Earl of Southesk, born in London 7 April 1661, was served heir to his father 8 May 1688.[1] He was educated at St. Andrews University, where he matriculated 28 February 1677. While studying there he won in 1679 the silver arrow for archery, and the Commemorative Silver Medal which he gave, bearing the date 1679, is amongst those still preserved at the United College.[2] After finishing his education at St. Andrews he was appointed by King Charles in 1683 captain of a troop of horse in the Forfarshire Militia.[3]

After the revolution of 1688 he never went to Court, but resided chiefly at Kinnaird and Leuchars, and on 10 July 1689 was fined £300 Scots for non-attendance. However, in the session of 1690 he took the oath of allegiance and the oath to Parliament.[4] He died at Leuchars 9 August 1699, and was buried at Kinnaird. He was known as the 'Good Earl,' and was locally supposed to have the power of healing by touch. He married (contract 15 July 1691) Mary Maitland, second daughter of Charles, third Earl of Lauderdale.[5] Her tocher was 30,000 merks. Of this marriage there were one son and two daughters:—

1. James, Lord Carnegie, fifth Earl of Southesk.
2. *Anne*, born 25 June 1694, and died 27 October 1696.
3. *Mary*, born 29 December 1695, and died 3 November 1696.

The Dowager Countess acted as one of the tutors and curators to her son James, and after her husband's death lived chiefly at Leuchars Castle, her jointure house, where she maintained considerable splendour. She was a strong Jacobite, and counselled her son to join in the Rising of 1715. She died at Leuchars about 1730, and was buried in the church there with a pomp and ceremony which was hitherto unknown in the district.[6]

[1] *Retours, Forfar*, 512. [2] *Proc. Soc. Ant. Scot.*, xxviii. 377. [3] Commission at Kinnaird. [4] *Acta Parl. Scot.*, ix. 109. [5] Erroneously described in the Lauderdale article (vol. v. 309), as the grand-daughter instead of the daughter of the third Earl. [6] Lamont's *Diary*. The duties of the cook, Thomas Deas, in providing for so large a company are said to have been so onerous as to have caused his death.

V. James, fifth Earl of Southesk, who was born 4 April 1692, was served heir to his father 14 March 1700.[1] He spent most of his childhood at Kinnaird until 1710, when owing to a disagreement amongst his tutors as to which university he should attend he travelled on the Continent for a year or two.

The Earl was a staunch adherent of the exiled house of Stuart, and took an active part in the rising of 1715. He was amongst those who met the Earl of Mar at Aboyne, 3 September 1715, to consider the expediency of taking up arms for the restoration of James VIII. He proclaimed King James at Montrose, and was appointed by the Earl of Mar to the post of colonel of the Angus Horse. He was present at the battle of Sheriffmuir as brigadier in command of that regiment on the left of the second line. After this battle Earl James remained faithful to his party, and when the exiled King landed in Scotland in the winter of 1715-16 he was the guest of Lord Southesk at Kinnaird, from which place he issued warrants and other documents to his adherents.

In consequence of the part which they took in the insurrection, the Earl and about fifty other Scottish noblemen and gentlemen were attainted of high treason, and their titles and estates were forfeited to the Crown.[2] Three years later an Act was passed enabling the King to make such provision out of the forfeited estates of James, late Earl of Southesk, and others for their wives and children, 'as if their respective husbands had been naturally dead.' The result of this Act was a Crown charter, granted to the Countess, dated 28 August 1718, of an annuity of £448, 8s. 10⅔d. sterling, and also of an annuity of £250 to her son James during his nonage.

On being attainted the Earl escaped to France, where he was some years afterwards joined by his wife. He never returned to his native land, but died in France on 10 February 1730. He was the hero of the well-known song 'The Piper of Dundee,' which has reference to some exploit of his in the Rising of 1715.

In 1713 he married Margaret, eldest daughter of James,

[1] *Retours, Forfar*, 557. [2] 1 Geo. I. c. 42.

fifth Earl of Galloway, with a tocher of £1500.[1] By her, who married, secondly, 16 August 1733, John, Master of Sinclair,[2] he had issue:—

1. *James*, Lord Carnegie, who died, on 7 January 1722, in his eighth year.
2. *Clementina*, died at Edinburgh, and was buried at Restalrig 26 March 1730.[3]

On the death of James, late fifth Earl of Southesk, without surviving issue, the male representation of the Southesk family devolved on his cousin, Sir James Carnegie of Pittarrow, a great-grandson of the fourth son of the first Earl of Southesk, who, but for the attainder, would have inherited the family titles and estates.

Sir Alexander Carnegie, first of Pittarrow. He was the fourth son of David, first Earl of Southesk.[4] By a contract dated 23 December 1639 his elder brother James, Lord Carnegie (afterwards second Earl of Southesk) disponed to Sir John Carnegie, second surviving lawful son of the first Earl, the lands of Craig, Rossie, and others, and Sir John resigned the lands of Pittarrow in favour of his younger brother, Alexander Carnegie.[5] As a young man Alexander travelled in France from 1634-36 with his cousin David, afterwards second Earl of Northesk. In 1649 he purchased Mondynes in Kincardineshire from James Douglas of Stoneypath for the sum of £20,000 Scots, and in 1652 he acquired Odmeston from James Ramsay of Odmeston.[6] He was knighted by Charles I. between the years 1639 and 1644. In 1663 he conveyed his whole estates to his son David, reserving to himself, under David's marriage-contract, the liferent of part of Pittarrow and the power to burden the lands conveyed with a sum of 50,000 merks Scots for payment of his debts and younger children's provisions.[7] David, however, had to pay another 50,000 merks for his father's debts, and in return for this payment, on 16 January 1669, Sir Alexander conveyed to his son the liferent which he had reserved to himself in

[1] Southesk Peerage, Minutes of Evidence. [2] Cf. vol. vii. 587. [3] Reg. of Burials, Restalrig. [4] Minutes of Evidence, Southesk Peerage, 19. [5] Original contract at Kinnaird Castle; Minutes of Evidence, Southesk Peerage, 88. [6] Original contract at Kinnaird Castle. [7] Minutes of Evidence, Southesk Peerage, 122.

the marriage-contract.[1] In 1677 he made new arrangements with his son, by which he conveyed to Sir David his liferent right to 'that part of the house of Pittarrow commonly called the New House,' and several other buildings, and the sole right of cutting timber.

Sir Alexander took part in public affairs from the year 1643 till his son married, when he settled down into private life. He was commissioner for Kincardineshire for several years, and sat on several Parliamentary committees.[2]

He died in March 1682.[3] He married Margaret, a sister of the first Viscount of Arbuthnott. On 25 June 1640 Sir Alexander granted a discharge for her tocher of £10,000 Scots.[4] By her, who died in 1701 at a great age, he had issue:—

1. Sir David, first Baronet of Pittarrow.
2. *James* of Odmeston, who was appointed Sheriff-Depute of Forfarshire before 2 May 1673. He died before 30 June 1677, on which date an agreement was entered into by those interested in his estate, from which it appears that his brothers and sisters were joint heirs to his moveable property.[5]
3. *Alexander*, who was born about 1643, and became an accountant in London. He married, but no mention of any children has been found. He died about 1731.[6]
4. *Robert*, who died before 28 June 1671, as appears from a bond of that date, in which he is mentioned as deceased.
5. *Charles*, Regent of St. Leonard's College, St. Andrews, and who was promoted from there to be Dean of Brechin and minister of Farnell. He married, 21 February 1685, Barbara, daughter of George Martin, minister of Dundee, and died in July 1694. He left three sons:—
   (1) *Robert*, was a doctor of physic. He died at the end of 1721 without lawful children.
   (2) *James*, was a sailor, and in February 1721 was a mate on board the *Ruby* sloop. He married and settled in Charlestown, South Carolina, but died without issue.

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1 Disposition at Kinnaird Castle. 2 *Acta Parl. Scot.*, 1664, etc. 3 St. Andrews Tests., 6 July 1682. 4 Discharge at Arbuthnott. 5 Will dated 14 June 1677. 6 Letters at Saltoun.

(3) *Alexander*, became a merchant in London, and his subsequent career is unknown.

6. *Mungo*, who was educated by his cousin Robert, Earl of Southesk, at Leyden University. He was called to the Scottish Bar 8 December 1691, having been appointed Sheriff-Clerk of Haddington on 20 September 1690.[1] He acquired the estate of Birkhill in Fife. He died January 1705,[2] having married Janet, second daughter of William Dick of Grange, and by her had a son *David*, of whom nothing is known,[3] and two daughters, *Margaret*, who was married to —— Black of Haddo, and *Janet*, who died unmarried.
7. *Andrew*, mentioned in the will of his brother James.
8. *Margaret*, married to James Carnegie, third of Balnamoon, her second cousin, and from whom the present family of Capel-Carnegie-Arbuthnott descend.[4]
9. *Catherine*, married to Thomas Allan. On 16 November 1680 there was a litigation between Sir David Carnegie and his sister Catherine and her husband, Thomas Allan.
10. *Janet*, married to Captain Walter Keith of Montrose, a son of Keith of Jackston in the Mearns.

Sir David Carnegie, first baronet of Pittarrow, was during his father's lifetime created a Baronet, with remainder to his heirs-male, the patent being dated 20 February 1663,[5] in the fourteenth (*sic*) year of the reign of King Charles II. It was six years after the date of this patent that Sir Alexander Carnegie made a disposition of the estate of Pittarrow to Sir David, who after that time became principal manager of the property.[6] In July 1690 Sir David Carnegie, together with Robert Burnett of Glenbervie, was commissioned by the Earl of Melville, High Commissioner, and the Lords of the Privy Council, to raise one hundred men for thirty-one days to prevent the incursions of the Highlanders, and others who were hostile to the Government, in Kincardineshire.[7] Sir

[1] Commission *penes* Earl of Lauderdale. [2] Original will at Kinnaird Castle, confirmed 31 May 1708; St. Andrews Tests. [3] Macfarlane's *Gen. Coll.*, Scot. Hist. Soc., ii. 81, 173. [4] See *ante*, p. 62. [5] Original patent at Kinnaird. [6] Original disposition at Kinnaird, of date 16 January 1669. [7] Extract commission at Kinnaird.

David had previously been commissioned to convene the heritors to provide against this evil.[1]

Soon after this Sir David presented a petition to the Earl of Melville, showing that he had been put to great expense by this commission. The petition sets forth that he frequently was obliged to convene the heritors and 'fencible men in the county to oppose the Highland rebels; and as none of the heritors would help, he himself had collected 400 men and marched to the Cuttie-hillocks and dispersed the rebels who were robbing the country; and that in revenge the rebels, numbering 3000 men, had plundered Pittarrow House, and destroyed Sir David's corn, and done damage to the extent of £442, 8s. sterling. He was never fully remunerated for his losses.[2]

On 7 September 1699 Sir David and his brother, Mungo Carnegie of Birkhill, were summoned as nearest of kin on the father's side, to concur in the making up of the inventories of the estates of James, fifth Earl of Southesk, then in his minority.[3]

Sir David died in November 1708. He married, first (contract 29 October 1663), Catherine, daughter of Sir Archibald Primrose of Carrington, Baronet, Lord Clerk Register, and afterwards Lord Justice-General of Scotland, who brought him a tocher of 15,000 merks. By her, who died in October 1677, he had issue:—

1. *James*, baptized 5 July 1667. He died in his eighth year, and was buried at Montrose on 31 March 1675.[4]
2. *Archibald*, baptized 17 June 1668.[5] Sir Archibald Primrose, his grandfather, assigned to him the sum of 12,000 merks, contained in a bond by Robert, Earl of Southesk, by assignation dated 14 June, and registered in the Books of Session 4 November 1691.[6] This sum was afterwards acquired by his brother John as his heir. He entered the Army, and about 1690 went to France, where he died, 24 September 1692, of a flux caused by eating unripe fruit.[7]

[1] *House of Carnegie of Southesk*, ii. 252. [2] Copy Petition at Kinnaird Castle. [3] Original Summons at Kinnaird Castle. [4] Records of Parish of Montrose. [5] *Ibid.* [6] Extract assignation at Kinnaird. [7] Letter from his brother at Kinnaird.

3. *Robert*, baptized at Montrose 10 May 1671. He died the next year, and was buried 9 August 1672.[1]
4. JOHN, who succeeded his father as second Baronet.
5. *William*, baptized at Montrose 2 August 1675.[2] On 11 April 1694, in a letter from Edinburgh, where he was undergoing a cure, he complained that he was in very bad health.[3] The 'cure' seems to have been too much for him, and he died at Pittarrow, of consumption, very shortly afterwards.[4]
6. *Margaret*, married to Henry, second son of Sir Robert Fletcher of Saltoun, Knight. By marriage-contract, dated April 1688 (the lady being of 'perfect age'), Henry Fletcher secured 40,000 merks to himself and Margaret Carnegie, besides other sums.[5] In 1716 Henry Fletcher succeeded to Saltoun, where he and his wife were the first to introduce machinery into barley mills in Scotland.[6] He died in 1733, survived by Margaret Carnegie, who lived till 27 May 1745. One of their sons was Andrew Fletcher, afterwards a Lord of Session with the title of Lord Milton.
7. *Elizabeth*, baptized 4 August 1665. She was buried in the Greyfriars Churchyard, Edinburgh, 8 March 1674.
8. *Catherine*, baptized 28 October 1669. She was married to David Watson, a writer in Edinburgh, who was governor to her brother John. They had a son John, who became a Writer to the Signet, and was the founder of John Watson's Institution.[7]
9. *Christian*, born in Edinburgh 7 March 1674. She was buried in Montrose 8 August 1676.
10. *Grisel*, baptized at Montrose 2 October 1677. She was buried before 25 May 1706, in Greyfriars, Edinburgh.

Sir David married, secondly (contract 29 October 1684), Catherine, daughter of Robert Gordon of Pitlurg, and widow of Robert, second Viscount of Arbuthnott. Sir David infeft his wife in liferent in the lands of Redhall,

[1] Montrose Parish Reg. [2] *Ibid.* [3] Letter at Kinnaird. [4] Account of his death by his father at Kinnaird. [5] Original marriage-contract at Saltoun. [6] *Hist. of Carnegies*, by Sir William Fraser, ii. 277. [7] *Ibid.*

Balfeiche, Pittingairdner, and others; while she assigned to him her jointure lands of Bervie and others.[1]

Sir David did not get on well with Lady Arbuthnott, and in consequence revoked a bond for 2000 merks in her favour, and also a deed which he had previously granted, empowering her to take the furniture of Pittarrow House if he predeceased her, which bond and deed, he says, were elicited from him by her restless importunity.[2] She died of consumption 1692, and was buried in the church at Montrose on 4 November of that year.[3] At her request Sir David mortified the sum of a hundred merks for the poor of the parish of Bervie.[4] She bore one son,

11. *Robert*, who was presented in baptism at Montrose on 6 June 1686 by his uncle, Charles Carnegie, Dean of Brechin.[5] Robert, Earl of Southesk, and Robert, Viscount of Arbuthnott, were witnesses of the baptism. He died in his eleventh year, and was buried at Montrose on 24 March 1695.

Sir David married, thirdly, about 1696, Jean, daughter of James Burnett of Monboddo.[6] They married apparently without any written contract, but by a bond,[7] dated 9 and 30 April 1697, Sir David conveyed to her in liferent the lands of Redhall, Balfeich, Pittengairdner, and others, to provide her with a sum of money in lieu of her third of the moveables. She survived him, and was buried at Montrose 15 May 1740. By her he had issue:—

12. *David*, baptized 24 January 1697. His father gave him, on 25 December 1700, a provision of 8000 merks, for which he granted a discharge to his brother Sir John on 13 March 1718.[8] He was a merchant in the West Indies, where he died without issue.

13. *James*, born towards the end of 1703. On 12 January 1704 Sir David granted him a bond of provision for 3000 merks, for which he gave a discharge to his brother Sir John on 13 November 1724.[9] He was a merchant in Montrose, and by Sir John's last will,

[1] Southesk Peerage, Minutes of Evidence. [2] Original deeds and revocation at Kinnaird. [3] Montrose Parish Reg. [4] Bond of mortification at Kinnaird. [5] Montrose Parish Reg. [6] *Family of Burnett of Leys*, New Spalding Club, 144. [7] Copy at Kinnaird. [8] Bond with discharge endorsed on it at Kinnaird. [9] *Ibid.*

dated 15 March 1729, 'James Carnegie, merchant in Montrose' was nominated as one of the tutors and curators to his children.[1] James Carnegie is said to have died without issue.

14. *Alexander*, baptized at Fordoun 29 April 1705.[2] Sir David granted him a bond of provision for 3500 merks on 3 December 1705.[3] He lived less than a year, and died before 25 May 1706, on which date Sir David calls James his youngest son.
15. *Elizabeth*, baptized at Fordoun 8 August 1695.[4] Sir David granted her, on 25 December 1700, a bond of provision for 6000 merks, and on 27 March 1703 he granted her another bond as cessioner to her grandmother, Elizabeth Irving, widow of James Burnett.[5] Elizabeth was married to Alexander Strachan of Tarrie, and died at Montrose 18 May 1767, leaving issue.
16. *Jean*. Her father granted her a bond of provision for 5000 merks Scots, dated 1 January 1700.[6] She died unmarried, and was buried at Montrose 2 May 1715.
17. *Janet*. Was granted by her father a bond of provision for 4000 merks on 1 January 1700 'for her better help to an honest life and fortune.'

Sir John Carnegie, second Baronet of Pittarrow. He was baptized at Montrose 27 January 1673.[7] He was the fourth son of Sir David, but his three elder brothers predeceased him without issue. While young he was for some time under the care of Gilbert Burnett, Bishop of Salisbury, and later, when his father's health began to fail, he took charge of the family estates. He was served heir to his father in the estates of Pittarrow and others on 20 December 1716.[8] He was appointed factor on the Southesk estates after they had been forfeited, and managed them for many years. In 1747 he acquired the lands and barony of Redhall, near Pittarrow, from George Burnett of Kemnay.[9]

[1] Ms. Genealogical Notes of Pittarrow family at Saltoun. [2] Fordoun Parish Reg. [3] Bond at Kinnaird. [4] Fordoun Parish Reg. [5] Bonds at Kinnaird. [6] Bond at Kinnaird. [7] Montrose Parish Reg. [8] Extract Retour at Kinnaird. [9] *History of Carnegies*, by Sir W. Fraser, ii. 267.

On 15 March 1729 Sir John conveyed all his property to his eldest son James, burdened, however, with his debts and provisions to his wife and younger children.[1] He also at the same time made a will in which he nominated his wife, together with George Lauder of Pitscandlie, and James Carnegy, merchant in Montrose, his half-brother, as tutors and curators to his children till they reached the age of twenty-one. Sir John died on 3 April in the same year, and was buried in the family vault at Fordoun.[2]

Sir John Carnegie married, 2 October 1712[3] (contract 31 August 1712), Mary, second daughter of Sir Thomas Burnett of Leys, Baronet. Her tocher was 1000 merks. By her, who died 5 June 1754 and was buried at Montrose, he had issue:—

1. Sir James, third Baronet.
2. *John*, baptized at Pittarrow House 10 October 1716. In 1721 he received from his father a bond of provision of 6000 merks and an annuity of £100 Scots, till he reached the age of fourteen years.[5] He died, unmarried, at the age of seventeen.
3. *David*, baptized 23 December 1717, and died before 20 April 1747.[6]
4. *Alexander*, baptized 26 April 1722. He went to Jamaica, where he died, unmarried, before 3 February 1748, as appears from a letter from Sir James Carnegie to Lord Milton.[7]
5. *Henry*, baptized 31 August 1725.[8] Owing to the influence of Lord Milton he obtained an appointment as midshipman in the service of the East India Company. He was drowned at sea whilst on board the *Prince of Orange*, one of the company's vessels, which was lost in a gale at the beginning of 1747.
6. *George*, baptized 19 November 1726. When eighteen years of age, he joined Prince Charles at Holyrood, after the battle of Prestonpans. He accompanied the Prince to England, and was also present at the

[1] Original contract at Kinnaird Castle; Minutes of Evidence, Southesk Peerage, 141; Original disposition at Kinnaird Castle. [2] Letter, James Carnegie to Lord Milton 17/4/1729, at Saltoun. [3] Banchory Parish Reg. [4] *Ibid.* [5] Original bond at Kinnaird Castle. [6] Fordoun Parish Reg [7] Original letter at Saltoun. [8] Fordoun Parish Reg.

battle of Culloden, while his elder brother Sir James was there with the Duke of Cumberland, on the opposite side. After the battle of Culloden he fled, and eventually made his escape to the Continent. After wandering about with James Carnegie Arbuthnott of Balnamoon, they got off to sea in a small boat and were picked up by a ship bound for Sweden. He landed at Gottenburg, where he established a business as a merchant. After about twenty years he returned to Scotland with a fortune which enabled him to purchase the paternal estate of Pittarrow and also the estate of Charleton. He was a trustee for his nephew Sir David Carnegie, whose father had repurchased the forfeited Southesk estates. The trustees carried through the sale of Pittarrow, which was conveyed to George Carnegie by disposition dated 17, 19, and 20 January 1767.[1]

George Carnegie died at Charleton on 12 April 1799, and was buried at Kinnaber. He married, on 17 March 1769, Susan, the eldest daughter of David Scott of Benholm. She founded an asylum at Montrose for the insane, the first of its kind in Scotland, and established the first lifeboat known in the country. She also constructed a genealogical table of the family of Carnegie, which is preserved at Kinnaird.[2] She died 14 April 1821. They had issue six sons and three daughters, amongst whom were:—

(1) John, who succeeded him and acquired Kinnaber through his marriage with Mary Fullerton, niece of Charles Fullerton, of Kinnaber. Their eldest son *George* sold the properties of Pittarrow, Charleton and Kinnaber. This George married, in April 1823, Madeline, daughter of Sir John Connel, Knight, by whom he had five children. The only son who married and left issue was *George*, born 13 February 1826, major-general, and married on 4 December 1852, Maria Priscilla, eldest daughter of Lieut.-Colonel John Wakefield, of the H.E.I.C.'s service, Bengal infantry. He had several children, the only son with issue being *Edward Hugo*, born 5 August 1870, married 1893, Emilie, daughter of Anton Prange, and has issue *George David Howard*, born 12 July 1894, *James Edward*, born 9 January 1897.

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[1] Books of Council and Session, 23 January 1767. [2] Minutes of Evidence, Southesk Peerage Case.

(2) *James*, born at Charleton 8 January 1773. He entered the marine service of the H.E.I.C. He married, in December 1801, Margaret, daughter of John Gillespie of Kirkton in Fife, by whom he had three sons, one of whom died in infancy. The others were :—

i. *James*, who died without issue.

ii. *David*, born 3 May 1813. He purchased the estates of Stronvar, Glenbuckie, and Gartnafueran in Perthshire. He married, in May 1839, Julie Boletta, daughter of Etatsraad Zeuthen of Töllöse in Zealand, by whom he had a child who died in infancy. She died in February 1841, and he married, secondly, in 1845, Susan Mary Anne, daughter of his uncle David Carnegie of Gottenburg, Sweden ; by her he had

(i) *James*, presently of Stronvar, born 9 September 1846. He married, in 1872, Mary Bethune, daughter of David Gillespie of Mountquhanie, Fife.

(ii) *Julie Isabella*, born 10 July 1850, married to Colonel Charles Hope of Cowdenknowes, Berwickshire.

(3) *David*, who became a merchant in Gottenburg. He married, in 1801, Anne Christian Beckman, by whom he had only one daughter Susan Mary Anne, who survived infancy ; she married her cousin David Carnegie of Stronvar.

7. *Margaret*, baptized 30 July 1713, and died unmarried before 20 April 1747, when her brother Alexander granted a discharge as heir to his sister Margaret, under a bond of provision by their father.[1]

8. *Mary*, baptized 12 August 1714,[2] married, in 1748, to Colonel John Scott of Comistoun, in Kincardineshire. She survived him, and married, secondly, a Mr. Forbes, whom also she survived.

9. *Helen*, baptized 17 April 1716,[3] married to Alexander Aberdein of Cairnbulg, who died in 1758.

10. *Jean*, baptized at Pittarrow on 13 September 1720.[4] She married Robert Taylor of Kirktonhill, with issue.

11. *Elizabeth*, baptized 30 November 1724.[5] She resided with her brother George at Charlton, and died, unmarried, in 1798.

VI. Sir James Carnegie, third Baronet of Pittarrow, and but for attainder sixth Earl of Southesk, succeeded

[1] Original discharge at Kinnaird Castle. [2] Records of Parish of Fordoun. [3] *Ibid.* [4] *Ibid.* [5] *Ibid.*

his father 3 April 1729 at the age of thirteen years, and the next year he became heir-male of the family of Southesk by the death of James, the fifth Earl.

Sir James's guardians, Andrew Fletcher of Saltoun, Lord Milton, and Sir Alexander Ramsay of Balmain, resisted the desire of his mother to have him brought up a Jacobite, and determined to send him to the University of Glasgow, where Principal Neil Campbell undertook the supervision of his education. His whole income during the lifetime of his mother was only £20 a year; and his guardians, in 1730, memorialised Sir Robert Walpole, then Chancellor of the Exchequer, on his behalf, setting forth that he was heir-male of the family of Southesk, whose estates he had lost through no fault of his own, and that his grandfather Sir David had performed notable service against the Highland rebels, and had sustained severe loss thereby, his house of Pittarrow being plundered, and his lands laid waste, for which he had only received a compensation of £422, 8s.[1]

After leaving Glasgow University Sir James entered on a Parliamentary career, and in June 1741 he was elected member for Kincardineshire. After his election Sir James was very attentive to his duties, and regularly attended the sittings of Parliament. He was re-elected for Kincardineshire in 1747; both his elections being largely due to the influence exercised on his behalf by his uncle Andrew Fletcher, Lord Milton, then Lord Justice-Clerk. In 1737 Sir James Carnegie entered the Army, and in May 1745 he fought at the battle of Fontenoy, under the Duke of Cumberland. Sir James Carnegie returned to England with the Duke, and in 1746 fought on the Hanoverian side at the battle of Culloden, while his brother George, as already mentioned, was in the Prince's army. In 1748 he was with his regiment at Nestelroy in Holland; but seems to have come home shortly after that and acquired a lease of Kinnaird, upon which estate he spent a great deal of money in improvements. He was re-elected member for Kincardineshire in 1761, and again in 1765. In February 1764 Sir James Carnegie repurchased from the bankrupt York Buildings Company the greater part of the estate of Southesk, comprehending the baronies of Kinnaird, Farnell,

[1] Minutes of Evidence, Southesk Peerage Case, 164.

Carnegie and Panbride, Kinnell, Fearn and Brechin in Forfarshire, and Fairneyflet and Largie in Kincardineshire. Owing to lack of competition he effected the purchase for £36,870, 14s. 2d., although the York Buildings Company had paid £51,540 for them in 1716.[1]

Soon afterwards he sold the lands of Carnegie, Glaster, Panbride, and the superiority of Balmachie, to William, Earl of Panmure, who, at the same time, sold to Sir James the lands of Over and Nether Kincraigs, Balbirnie Mill, Pantaskall, and half of Arrat, all in the Parish of Brechin. Before the feudal titles to the estates were made out Sir James died, and the estates were vested in his trustees,[2] who were forced, in order to pay the price of the Southesk estates, to sell Pittarrow in Kincardineshire, and some small portion of the estates in Forfarshire. Lady Carnegie also sold her estate of Balyordie. Sir James died at Stamford 30 April 1765 and was buried there. He married, 5 July 1752, Christian, eldest daughter of David Doig of Cookston, and of his wife Magdalen Symmer, the heiress of Balyordie.[3] In virtue of a precept in the contract Lady Carnegie was infeft in an annuity of £100 sterling out of Pittarrow. Her tocher was £3000. She was also the heiress of Cookston and Balyordie. By her, who survived him for fifty-five years, dying at Montrose 4 November 1820, aged ninety-one, Sir James had issue:—

1. David, who succeeded his father.
2. *James*, who was born 5 March 1756. He died at the age of ten years at Arbuthnott, and his patrimony of £2000 was divided amongst his younger brothers and sisters.
3. *John*, who was born 13 August 1757. He became a soldier, and served in the 11th Regiment of Light Dragoons from 1774 to 1798. He rose to the rank of lieutenant-colonel. Colonel John Carnegie died in 1823, and his body was subsequently removed to Seaford. He married, in October 1791, Catherine, the only daughter of the Rev. —— Tireman, Sub-Dean and Prebendary of Chichester. They had one son,

[1] *History of Carnegies*, by Sir W. Fraser. [2] Crown charter dated 23 February 1767, and sasine dated 4, and registered 11, April 1767, at Kinnaird; *History of Carnegies*, 210. [3] Minutes of Evidence, Southesk Peerage Case, 303.

the Reverend *James*, Vicar of Seaford, in Sussex, who died without issue 8 February 1864. His wife survived him, and died 25 December 1824, aged seventy-one years.

4. *George*, who was born at Kinnaird on 2 January 1759. He was brought up to the Law, and was admitted a member of the Faculty of Advocates 6 August 1782. He died, unmarried, 19 May 1786, aged twenty-seven years.
5. *Mary*, born 21 August 1760. She died, unmarried, at Seaford, Sussex, on 8 February 1828, and was buried there.
6. *Elizabeth*, born in 1763; she died, unmarried, at Mountquhanie, Fife, on 25 July 1836, and was buried in St. Cuthbert's Churchyard, Edinburgh.

VII. Sir David Carnegie, fourth Baronet (and but for attainder seventh Earl of Southesk). Sir David was only twelve years old when he succeeded his father. During his minority his trustees paid off all the debts on the estates, and conveyed them to him free of burdens. He was educated at Eton, St. Andrews, and Christ Church, Oxford, where he was distinguished for his literary attainments.

He purchased the lands of Arnhall and Leuchars, but later he sold these estates and also Pitkennedy and Framedrum, and bought instead the barony of Old Montrose and the lands of Marytoun, Ananie, and Fullarton, which adjoined the estate of Kinnaird. He rebuilt Kinnaird in 1791 and 1792, and investigated the possibility of the restoration of the forfeited titles of Earl of Southesk, etc., but he was advised that he would be unsuccessful, so he let the matter drop. In 1784 he was elected member for the Montrose Burghs; and in 1796 was elected member for the county of Forfar, which county he represented until his death, which took place in London 25 May 1805. He was buried in the Church of St. Martin-in-the-Fields. Sir David Carnegie married, at Edinburgh (contract 29 April 1783), Agnes Murray, daughter of Andrew Elliot of Greenwells, uncle of the first Earl of Minto, Lieutenant-Governor of the province of New York. By her, who died at Leaming-

ton, 9 June 1860, aged ninety-six, having survived her husband for fifty-five years, he had issue:—

1. JAMES, who succeeded his father.
2. *John*, born at Kinnaird 19 June 1802. He joined the Scots Greys in 1822, and exchanged into the 9th Lancers, from which he retired in 1836 with the rank of captain. He succeeded in 1853 to the estates of Seaton and Tarrie, which were left to him by Thomas Rennie Strachan of Tarrie, a descendant of Elizabeth, daughter of Sir David Carnegie, first Baronet of Pittarrow. He took the names of Rennie Strachan, prefixing them to his own name of Carnegie. Captain John Rennie Strachan Carnegie died 22 February 1879. He married, 7 September 1848, Elizabeth Susan, daughter of Colonel John Grey of Backworth, Northumberland, and by her, who died 15 June 1878, had one son,

   Claud Cathcart, born 9 December 1849; educated at Cheltenham College, St. Andrews University, and Trinity College, Cambridge. He is a Justice of the Peace and Deputy-Lieutenant for the county of Forfar, and Justice of the Peace for Devonshire. He married, 16 April 1874, Mary Madeline, daughter of William Breakenridge of Kingston. Canada, by whom he has issue:—

   i. *Alan Bruce*, born 27 January 1875; Advocate 1902.
   ii. *Dorothy Olivia*, born 27 March 1877; married, 9 January 1907, to David Horndon, second son of the late William Horndon of Pencrebar, Cornwall.

3. *Christina Mary*, born 25 May 1784, and died, unmarried, on 27 August 1860, aged seventy-six.
4. *Elizabeth*, a twin with her sister Christina. She lived at Leamington, and died there, unmarried, 3 July 1884, aged one hundred years and five weeks.
5. *Jane*, born at Kinnaird 6 October 1785, and died, unmarried, at Leamington, 24 April 1859, aged seventy-four.
6. *Anne*, born 17 January 1787, and married, 17 April 1822, to Rear-Admiral Robert Wauchope. Of this marriage there was one son, *William Andrew*, who died, unmarried, in 1844. The Admiral died in June 1862, and his widow survived till 22 April 1879, when she died, aged ninety-two.

7. *Mary Anne*, born, at Edinburgh, 9 May 1788, and died, unmarried, on 2 October 1834, aged forty-six.
8. *Eleanor*, born 23 June 1789. Married (contract 9 June 1828) to James Evans of Norwood, in Middlesex, and died, without issue, 27 September 1855, aged sixty-six, survived by her husband.
9. *Agnes*, born at Kinnaird 18 September 1790. She resided in Leamington, and died there, unmarried, 8 March 1875, in her eighty-fifth year.
10. *Mary*, born at Kinnaird 5 May 1793. Married, 6 March 1829, to Thomas Henry Graham of Edmond Castle, Cumberland, and died, without issue, 22 November 1877, aged eighty-four.
11. *Emma*, born at Kinnaird 29 May 1794. Married (contract 6 September 1820) to James Douglas of Cavers, with issue. She survived her husband, and died 25 September 1882, aged eighty-eight.
12. *Madeline*, born at Kinnaird 8 January 1796. Married, 11 June 1816, to Sir Andrew Agnew, Baronet, of Lochnaw, in Wigtownshire. She died in Moray Place, Edinburgh, 21 January 1858, aged sixty-two, leaving issue.

Thus the twelve children of Sir David Carnegie lived to the very creditable average age of seventy-five years.

Lady Carnegie survived her husband for fifty-five years, and died at Leamington 9 June 1860, at the age of ninety-six.

Sir David was succeeded by his eldest son,

VIII. Sir James Carnegie, fifth Baronet (and but for attainder eighth Earl of Southesk). Sir James was born 28 September 1799 at Kinnaird, and succeeded to his father at the age of six. He lived chiefly at Kinnaird with his mother during his minority.

Having been educated by private tutors and at Eton, he in 1818-19 made tours through France, Germany, and Italy. In 1820 he visited Spain and Holland, and again in 1824 travelled through France and Italy. Sir James kept a journal of his travels, which is preserved at Kinnaird. He to a great extent cleared the estate of the debts which

had been contracted by his father in the acquisition of lands and contested elections. Sir James also acquired the estate of Strachan, in the Mearns, and in 1829 he purchased Baldovie, in the parish of Craig. During his minority the lands of Little Fithie, in Farnell parish, were added to the estate. Sir James set himself seriously to the task of getting the forfeited titles restored to the family. In 1847 he presented a petition to Queen Victoria, claiming the titles of the Earl of Southesk and Lord Carnegie, and evidence was taken before the Committee of Privileges on 11 August 1848, but in view of the decision in the Perth Peerage Case the claim was not then proceeded with.

Sir James was elected Member for Montrose Burghs in 1830, but during the later years of his life he retired from politics, and lived entirely at Kinnaird, dying there 30 January 1849.

On 14 November 1825 he married, in Naples, Charlotte, daughter of the Rev. Daniel Lysons, of Hempsted Court, Gloucestershire, joint author with his brother of the well-known work, *Magna Britannica.*

By his wife, who died at Leamington 10 April 1848, he had issue:—

1. JAMES, sixth, and *de jure* ninth, Earl of Southesk.
2. *John*, born at Kinnaird 14 October 1829. He entered the Royal Navy; served on board the *Calliope* in the New Zealand Rebellion of 1846-47; and during the Crimean War was a lieutenant in the *Sidon*, taking part in most of the operations in the Black Sea. He rose to the rank of post-captain, and died, unmarried, 5 July 1883. On the restoration of his elder brother to the Southesk titles he and his brother and surviving sister were elevated to the rank of Earl's children by Royal warrant dated 30 August 1855.
3. *Charles*, born at Kinnaird 14 May 1833. He was gazetted in 1850 to the 23rd Regiment, and in 1853 transferred to the 27th Regiment, retiring from the service in 1855. In 1860 he was elected member for Forfarshire, and re-elected in 1865. From 1872 to 1884 he was Inspector of Constabulary for Scotland. He died, unmarried, 12 September 1906.
4. *Charlotte*, born at Kinnaird 22 July 1839. She was

married, first, 16 June 1860, to Thomas Frederick Scrymseoure Fothringham of Fothringham and Powrie in Forfarshire, who died 7 March 1864, leaving issue; and, secondly, on 8 December 1868, to Frederick Boilleau Elliot, fifth son of Admiral the Hon. Sir George Elliot, K.C.B. She died 15 January 1880.

5. *Agnes*, born at Leamington 11 May 1843, and died on 13 January 1852.

IX. James, sixth and *de jure* ninth Earl of Southesk. He was born in Edinburgh on 16 November 1827, and educated at the Edinburgh Academy. In 1845 he joined the 92nd Highlanders, and the next year transferred to the Grenadier Guards, where he served for three years. In 1849, on the death of Sir Thomas Burnett of Leys, he was appointed Lord-Lieutenant of Kincardineshire, which office he held until 1856, when he disposed of his estate of Strachan in that county. He further sold his estate of Glendye to Sir Thomas Gladstone, Baronet, of Fasque. During 1854 he renovated and practically rebuilt the castle of Kinnaird. In the preceding year, 1853, he renewed the claim made by his father to the forfeited titles of Earl of Southesk and Lord Carnegie of Leuchars and Kinnaird, and his claim was granted in July 1855.[1] In 1859 Lord Southesk travelled in North America for nearly a year. He was created a Peer of the United Kingdom on 7 December 1869, with the title of BARON BALINHARD OF FARNELL. He was a Knight of the Thistle and an LL.D. of St. Andrews University. He was well known as an antiquary, and formed a large collection of antique gems and cylinders which contain many intaglios of world-wide celebrity.

Lord Southesk published several works of prose and poetry, the best known being *Saskatchewan and the Rocky Mountains*, *Jonas Fisher*, and the *Burial of Isis*. He died at Kinnaird on 21 February 1905. Lord Southesk married, first, 19 June 1849, Catherine Hamilton Noel, second daughter of Charles, first Earl of Gainsborough. By her, who died 9 March 1855, he had issue:—

[1] Southesk Peerage Case.

1. Charles Noel, Lord Carnegie, who succeeded as seventh and *de jure* tenth Earl of Southesk.
2. *Arabella Charlotte*, born 23 October 1850; married, 7 February 1878, to Samuel Henry Romilly, Esq. of Huntington Park, Hereford, by whom she had issue. She died 14 February 1907.
3. *Constance Mary*, C.I., born 17 November 1851; married, 9 November 1876, to the ninth Earl of Elgin. (*See title* Elgin and Kincardine.) She died 24 September 1909.
4. *Beatrice Diana Cecilia*, born 16 December 1852; married, 28 July 1874, to the Rev. Henry Holmes Stewart, Rector of Porthkerry, in Wales, by whom she has issue.

Lord Southesk married, secondly, on 29 November 1860, Susan Catherine Mary Murray, daughter of Alexander Edward, sixth Earl of Dunmore, by whom he had issue :—

5. *Lancelot Douglas*, M.V.O., born 26 December 1861. Entered the Diplomatic Service, and has served at Madrid, St. Petersburg, Berlin, Pekin, Vienna, and Paris, where he is now Chancellor of Embassy. He married, on 2 January 1890, Marion Alice de Gournay, daughter of Henry Ford Barclay of Monkham, Essex, and has issue :—

   (1) *James*, born 1909.
   (2) *Mariota Susan*, born 18 December 1892.
   (3) *Dorothea Helena*, born in Pekin 6 August 1906.

6. *Robert Francis*, born 6 May 1869, late captain and brevet-major in the second battalion of the Gordon Highlanders. He served through the whole of the South African War, was wounded in Ladysmith during the siege, and twice mentioned in despatches. He has settled in British East Africa.
7. *David Wynford*, born 23 March 1871. In 1892 he went to Australia and remained there among the Coolgardie goldfields for about five years. He journeyed in 1896 and 1897 from Coolgardie to Hall's Creek, returning by a different route, going through some three thousand miles, almost all of which was hitherto unexplored country. On his return he published a book of his travels entitled *Spinifex and Sand*, and

was elected a Fellow of the Royal Geographical Society and awarded the Gill Memorial Grant in recognition of his valuable work. In 1899 he accepted an appointment as assistant resident in Northern Nigeria under Sir Frederick Lugard; and on 27 November 1900, while on a punitive expedition to a native town, his party was ambushed by natives and he was wounded by a poisoned arrow, from the effects of which he died in a few moments.

8. *Dora Susan*, born 29 April 1863. She was married, on 27 June 1894, to Ernest de Rodakowski, formerly in the 1st Austrian Lancers, son of Geheimer Rath, and Général der Cavallerie, Josef de Rodakowski, and Ottilia, *née* Countess Wrangel, and has issue.
9. *Elizabeth Erica*, born 29 June 1864, and died unmarried on 23 June 1897.
10. *Helena Mariota*, born 13 October 1865.
11. *Katharine Agnes Blanche*, born 12 June 1867. She was married, on 5 August 1890, to Colonel Courtenay Charles Evan Morgan, son of the late Hon. Frederick C. Morgan, and heir-presumptive to the second Baron Tredegar, and has issue.

X. Charles Noel, seventh and, but for attainder, tenth Earl of Southesk, born 20 March 1854. He was educated at Harrow and St. Andrews University, of which he holds the honorary degree of LL.D. He commanded the late Forfar and Kincardine R.G.A. (Militia), and has the reputation of being the best game shot in Scotland. He is a J.P. and D.L. for Forfarshire and Aberdeenshire, and D.L. for Kincardineshire. He married, on 1 August 1891, Ethel Mary Elizabeth, only child of the late Sir Alexander Bannerman, Baronet, of Elsick, and has issue:—

1. Charles Alexander, Lord Carnegie, born 23 September 1893.
2. *Alexander Bannerman*, born 22 December 1894.
3. *James Duthac*, born 26 September 1910.
4. *Katherine Ethel*, born 12 June 1892.
5. *Mary Elizabeth*, born 4 March 1899.

Creations.—Lord Carnegie of Kinnaird, 14 April 1616;

Earl of Southesk, and Lord Carnegie of Kinnaird and Leuchars, 22 June 1633, all in the Peerage of Scotland; Lord Balinhard of Farnell, 7 December 1869, in the Peerage of the United Kingdom.

ARMS.—Argent, an eagle displayed azure, bearing on its breast an antique covered cup, or.

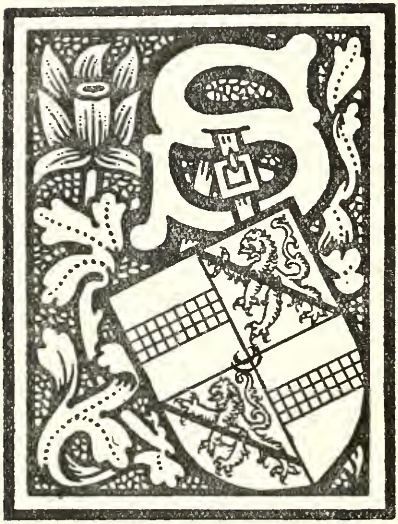
CREST.—A thunderbolt, proper, winged or.

SUPPORTERS.—Two talbots argent, collared gules.

MOTTO.—*Dred God.*

[A. S. C.]

LINDSAY, LORD SPYNIE



SPYNIE, a parish adjacent to Elgin and containing the loch of the same name, now almost entirely drained, but at one time a navigable arm of the sea, was for many centuries associated with the Bishops of Moray. For a short time previous to its transference to Elgin in 1224 their cathedral was at Spynie, and until the final abolition of Episcopacy, the fortress palace of Spynie was their seat. Under its walls there grew up a little town with, at one time, a harbour actually on the sea. By charter, dated 24 July 1451, King James II. erected the town of Spynie into a burgh of barony.[1] By another charter, dated 18 November of the same year, the whole lands of the church of Moray were erected into the barony of Spynie.[2] And next year by charter, dated 15 August 1452, the barony and burgh of Spynie were erected 'in meram et liberam regalitatem seu regaliam' to be held of the King by the Bishop of Moray and his successors in the see for ever.[3]

Notwithstanding the Reformation, Patrick Hepburn, who had become Bishop of Moray in 1535, contrived to retain possession of the temporalities of the see until his

[1] *Reg. Morav.*, 221. [2] *Ibid.*, 223. [3] *Ibid.*, 225. For the register of the Regality Court see Spalding Club *Miscellany*, vol. ii. pp. xlvi, 119.

death on 20 June 1573.[1] During his long episcopate he freely utilised the great estates of the bishopric to make provision for his illegitimate children and various relatives, as well as to purchase the protection of such zealous Reformers as the Regent Moray.[2] Even after these dilapidations the estates remained of considerable value, and passed to George Douglas, a natural son of Archibald, sixth Earl of Angus (*see that title*), who, on 12 August 1573, was appointed the first Protestant Bishop of Moray.

By the Act 1587, cap. 8,[3] the temporalities of all benefices were annexed to the Crown, reserving to archbishops and bishops their principal castles and mansions. On the death of Bishop Douglas in 1589, what remained of the patrimony of the see of Moray was accordingly in the hands of King James VI., and at his disposal, and he conferred it on

I. ALEXANDER LINDSAY, fourth son of David, tenth Earl of Crawford (*see that title*), by his wife Mary Beaton, daughter of the Cardinal Archbishop of St. Andrews. Early in life he became attached to the person of King James VI., whose favour and confidence he soon obtained. On 29 January 1589, under the designation of Mr. Alexander Lindesay of Sandefurde, he obtained a confirmation of the lands of Auchmuthie and others, which he had acquired from John Betoun of Balfour, the destination being to him and the heirs of his body, whom failing, to John Lindsay, his brother, and the heirs-male of his body, whom failing, to the nearest heirs-male and assignees of the grantee.[4] Soon thereafter he became Vice-Chamberlain, and in that character accompanied the King to Denmark on the occasion of his marriage to the Princess Anna. While they were still abroad the King wrote to him from the castle of Croneburg, 'quhaire we are drinking and dryuing our in the aulde maner,' that 'quhen Godd randeris me in Skotlande I shall irrevocablie and with consent of Parliament erect you the temporalitie of Murraye in a temporal lordshipp with all honouris thairto apperteining.'[5] Within a week of the King's return, on 6 May 1590, a charter

[1] Keith, *Scottish Bishops*, 150. [2] For a number of his grants see *Reg. Morav.*, 391 *et seq.* [3] *Acta Parl. Scot.*, iii. 431. [4] *Reg. Mag. Sig.* [5] Original letter in Adv. Bib., quoted in *Lives of the Lindsays*, i. 319.

passed the Great Seal by which there were granted 'Magistro Alexandro Lindsay heredibus suis et assignatis hereditarie' the lands, lordships, and baronies of Spynie, Kynneder, Birneth, Raffort, Ardclayth, Kylmylies, Strathspey, Moy and Keith, along with the patronage of certain churches and other rights which had previously formed part of the patrimony of the see of Moray, all which were erected into the barony of Spynie, in favour of the said Mr. Alexander and his heirs and assignees, 'Dando concedendoque dicto magistro Alexandro suis predictis Titulum Honorem Ordinem et Statum Liberi baronis, qui nunc et in perpetuum Barones de Spynie nuncupabantur.' The charter further proceeds—'Tenend. et habend. etc., prefato magistro Alexandro Lindsay heredibus suis et assignatis in feodo et hereditate liberaque baronia in perpetuum.'[1] The reddendo was 100 merks in name of blench farm.

Different views have been expressed as to the import and effect of this charter, and in particular as to whether the Peerage of Spynie was thereby created. It is therefore important to note, first, that the subjects of the grant are not erected into a *dominium* but into a *baronia*; second, that the style conferred on the grantee is not *dominus* but *liber baro*; and third, that *liber baro* as used in the ratification of the King's marriage-contract on 17 May 1590,[2] *i.e.* eleven days after the date of the Spynie charter, did not imply that the person so described was a Peer. It is also important to notice that no assumption of a Peerage style seems to have immediately followed on this charter. Out of numerous instances the following may suffice. In the sederunts of the Privy Council of 24 June, and 11 and 12 August 1590, Alexander Lindsay is entered as Mr. Alexander Lindsay.[3] On 6 August 1590 he obtained a grant of certain escheats as Mr. Alexander Lyndesay of Spynie.[4] In a letter of attorney by King James VI., dated 16 August 1590, he appoints as factor and commissioner for certain purposes, 'our familiare servitour Mr. Alexander Lindsay of Spynie.[5] Then came a change. Mr. David

[1] *Reg. Mag. Sig.* [2] *Ibid.* James Scrymgeour of Dudhope is there designed 'liber baro de Dudhope connestabulus Taodunanus ac Scotie vexillifer hereditarius.' [3] *P. C. Reg.*, iv. 493, 520, 523. [4] *Privy Seal Reg.*, 61 f. 22. [5] *Douglas Book*, iv. 32.

Moysie, an officer of the Royal Household writes in *anno* 1590: 'Upon the 4th of November Mr. Alexander Lindsay, youngest brother to the Earl of Crauford, having become a great minion in Court, was preferred and made Lord Spynie, and, with him, Sir George Home of Prymbroke-Knolls and Sir James Sandilands of Cremanan were knighted in Holy-rood House at supper.'[1] Mr. Riddell also quotes a statement from the MS. of Sir James Balfour, Lyon King-of-Arms, viz. 'same yeire (1590) 4 Novembris Alexander Lindesy, brother-german to David, Earll of Crauford, wes knighted, and immediatelie thereafter made Lord of oure Soveraigne Lords Parliament and namd Lord Spynie.'[2] He also cites Johnston to the same effect.[3] In the sederunt of the Privy Council of 4 November 1590 Alexander Lindsay appears for the first time as Lord Spynie.[4] It also appears that as Lord Spynie he sat in the first Parliament held after this date, on 6 August 1591.[5] On 29 May 1592 he was appointed one of the Lords of the Articles *pro nobilibus*,[6] and on 5 June he was placed on the Privy Council as 'Alexander, Lord of Spynie, Vice-Chalmerlane.'[7]

Alexander Lindsay had for some time been enamoured of Jean Lyon, daughter of Lord Glamis (*see title* Strathmore), and widow in succession of Robert Douglas, younger of Lochleven, by whom she had William, sixth Earl of Morton (*see that title*), and Archibald, eighth Earl of Angus, and the King had vigorously intervened in support of his favourite's suit. Two of his letters to the lady are still extant,[8] and the King's gift of the lordship of Spynie seems to have accelerated her favourable decision. At all events they were married shortly thereafter, for on 31 May 1590 a bond, granted by her on 14 June 1589, was recorded against her and Mr. Alexander Lindsay, her spouse.[9]

In 1592 Lord Spynie, who had been made a member of the reconstituted Privy Council,[10] obtained a parliamentary

[1] Moysie's *Memoirs*, 175. [2] *Peerage Law*, ii. 656. [3] *Ibid.*, 657. [4] *P. C. Reg.*, iv. 542. [5] *Acta Parl. Scot.*, iii. 525. [6] *Ibid.*, 550. [7] *Ibid.*, 562. [8] Abbotsford Club *Miscellany*, 215. [9] *Reg. of Deeds*, xxx. f. 499. It is right to say that Dr. Maitland Thomson, to whose generous kindness the writer is, as usual, much indebted for information, has pointed out that in an entry in the *General Register of Inhibitions*, dated 3 May 1610, xxxix. f. 451, the marriage is said to have taken place in April 1589. It seems probable, however, that this date is wrong. [10] *Acta Parl. Scot.*, iii. 562.

ratification of the charter of 6 May 1590, from which it appears that his services to the King had included an advance of '8000 crowns of the sun.' In view of his marriage the ratification also authorised the King to grant of new to 'the said Alexander, Lord of Spyne, and Dame Jane Lyoun, Countes of Angus, his spouse, the langest livar of them twa in conjunct fie and to the aires laufullie gottin or to be gottin betwix them, quhilkis failzeing to the narrest and lauchful airis maill of the said Alexander quhatsumever and their assignais heretablie,' all and sundry the lands, baronies, patronages and others contained in the previous charter, all united in the temporal lordship and barony of Spynie. The ratification further proceeds that the King, with consent of the Estates, 'gevis and grantis to the said Alexander, Lord of Spynie, and his foirsaidis the honor, estate, dignity and preeminence of ane frie Lord of Parliament to be intitulit Lords of Spynie in all tyme cumming with all priviligis belanging thereto. To be haldin of our Soverane Lord and his successors in frie heritage and in ane frie temporal Lordschip, Baronie and regallitie for ever, for yeirlie payment and doing of the service of ane lord in parliament and of ane knight togidder with the soume of ane hundred merks money yeirlie at the feast of Whitsunday in name of blenche ferme allanerlie,' and it was further ordained that a new infeftment in these terms should be granted under the Great Seal.[1] This ratification was not a mere formality, and, according to Craig, was necessary to prevent reduction of the charter at the instance of the Lord Advocate.[2]

In order that this new infeftment—with its altered destination—should be granted, it was of course necessary that the barony of Spynie should be resigned into the hands of the Crown. This was duly done, and on 17 April 1593 a new charter passed the Great Seal in the terms authorised by the Act of 1592, and also including the patronage of numerous churches which had belonged not to the Bishop but to the Chapter of Moray.[3] The destination, it must be noted, is 'Alexandro Domino de Spynie et Domine Jeanne Lyoun, Comitisse de Angus, ejus sponse,

[1] *Acta Parl. Scot.*, iii. 650, *et seq.* [2] *Jus Feudale*, i. 16-6. [3] *Reg. Mag. Sig.*

eorumque alteri diutius viventi in conjuncta infeodatione *et heredibus inter eos legitime procreatis*, quibus deficientibus, legitimis et propinquioribus heredibus masculis dicti Alexandri quibuscunque et assignatis.' The whole subjects were also erected 'in *temporale dominium* et baroniam de Spynie.' The charter proceeds: 'Dando et concedendo dict. nostro predilecto consanguineo et consiliario Alexandro domino de Spynie suisque heredibus et assignatis supra recitatis titulum, honorem, ordinem et statum liberi baronis et domini nostrorum parliamentorum qui domini de Spynie omni tempore futuro nuncupabuntur et intitulabuntur et qui votum et suffragium habebunt in omnibus nostris parliamentis, consiliis generalibus, conventionibus et congregationibus similiter ac quisquam alius dominus parliamenti habet, habuit, habere possit vel in futurum habere potuerit et ut dictum dominium insignibus et armis, ut accordat honoretur.'

On the same day, on his own resignation, he obtained a new charter of Auchmuthie and other lands in Forfarshire in favour of himself and his wife and the longer liver 'et heredibus *masculis* inter ipsos legitime procreatis seu procreandis, quibus deficientibus, heredibus masculis et assignatis dicti Alexandri quibuscunque.'[1] The marked difference between the two destinations is obvious.

Whatever, then, may have been the effect by itself of the charter of 6 May 1590, or the necessity for the incident of 4 November 1590, it is plain that on 6 August 1591 Alexander Lindsay had the status of a Lord of Parliament, and that from 17 April 1593, at the latest, he held a Peerage with a destination to the heirs of the marriage between him and Dame Jean Lyon, whom failing, to his nearest and lawful heirs-male whatsoever. In the Decreet of Ranking of 1606 Lord Spynie is placed after Lord Thirlestane and before Lord Roxburghe.

King James having become anxious for the establishment of Episcopacy in Scotland, entered into negotiations with Lord Spynie[2] which resulted in his surrender to the Crown of the patrimony of the old bishopric, although he continued

[1] *Reg. Mag. Sig.* It is a curious circumstance that in the Record the words 'et heredibus masculis inter ipsos legitime procreatis' are written over an erasure. [2] Abbotsford Club *Miscellany*, i. 214.

to retain the patronage of the numerous churches belonging to the Chapter, granted by the charter of 1593. The terms of the transaction do not appear to be known. Bishop Keith says that it proceeded on payment of 'a considerable sum of money.[1] But the phraseology of a letter from the King[2] suggests that other arguments than a money payment alone had been employed to influence Lord Spynie. In addition to what he got from the King, Lord Spynie also obtained from Alexander, the new Bishop of Moray, a bond for 10,000 merks to be paid within ten years. After Spynie's death the Bishop was pressed for payment of this sum, and, according to his story, although he had settled for 4400 merks with Sir John Lindsay, the tutor of the young Lord, he was thereafter sued for the whole original sum, and so was driven to appeal to the King to intervene and stop the proceedings.[3]

On 18 July 1605 Lord Spynie obtained a charter of Ballysack (now Boysack), Burnside, and other lands in the county of Forfar,[4] in which the destination was to the heirs-male of the marriage, whom failing, to the grantee's heirs-male and assignees whomsoever. He also, on his own resignation, obtained another charter, dated 27 February 1606, to him and to his heirs-male and assignees whomsoever of the lands of Burnsyde in the county of Forfar and the patronage of the various chapterly churches above referred to.

In 1592 Lord Spynie was accused by Colonel William Stewart, Commendator of Pittenweem, of being associated with Francis Stewart, Earl of Bothwell, in some of the conspiracies of that troublesome person. The charge came to nothing, and Lord Spynie was formally restored to favour, though it is said he never fully recovered the King's confidence.[5] The *Privy Council Register* also contains references to various feuds in which he was engaged, and notably to a feud between him and Lord Glamis,[6] and another feud between the Lindsays and the Ogilvies, in the course of which Lord Spynie's house of Kinblethmont was, on 26

[1] *Scottish Bishops*, 151. [2] Abbotsford Club *Miscellany*, i. 214. [3] *Original Letters*, Bannatyne Club, ii. 277, etc. See also Hill Burton, v. 451. [4] *Reg. Mag. Sig.* [5] *P. C. Reg.*, v. 4, 5, 8, 17; cf. Spottiswoode, 589. [6] *P. C. Reg.*, v. 457.

November 1603, attacked by means of 'a maist deteistable and unlauchfull ingyne of weir callit the pittart' and 'the whole plenishing, evidents, gold and silver' therein were carried off by the Master of Ogilvy and his brothers.[1] Another feud, and one among the Lindsays themselves to which he was no party, had more serious results for Lord Spynie. On the evening of 5 June 1607, while 'gangand in peciable and quiet maner upoun the hie streit of this burgh of Edinburgh, at the stair fute of his ludgeing within the same, recreating himselff efter his supper' he unfortunately intervened in a brawl between his two nephews, the Master of Crawford and David Lindsay, younger of Edzell, and their followers, and was so severely wounded[2] that he died a few days thereafter.[3] By his wife, Jean Lyon, who survived him, but died before March 1610,[4] he is said to have had issue:—

1. Alexander, second Lord Spynie.
2. *John*, died young.[5]
3. *Anna*, married (contract 27 February 1607) to Sir Robert Graham, youngest son of John, third Earl of Montrose (*see that title*), the lady's tocher being 10,000 merks.[6] On the resignation of Lord Montrose, Sir Robert and his wife had a charter of the lands of Invermay, dated 7 March 1607.[7]
4. *Margaret*.[8] As 'executrix of the late Alexander, Lord of Spynie, her father,' a decree in absence was obtained against her, on 15 November 1608, by Nathaniel Gerod, merchant in London, for £330.[9] She was married to Alexander Erskine of Dun, by whom she had two sons, *John* and *Alexander*,[10] and died at Dun 11 March 1635, and was 'honourably buried there upon Thursday, the 4 of April, being brought from a high looft above some of the houses without the place, and was carried upon two long hand spakes from thence through the closs to the Kirk, where she was interred in the old sepulchre of that house.'[11]

[1] *P. C. Reg.*, vi. 519. [2] *Ibid.*, vii. 383, xiv. 477. [3] Test. recorded *Edin. Com. Reg.*, 7 August 1607. [4] *Gen. Reg. of Inhibs.*, xxxix. 451. [5] Douglas. [6] *Reg. of Deeds*, xxxi. 143. [7] *Reg. Mag. Sig.* [8] See contract printed in the Crawford Peerage Case, 134. [9] *P. C. Reg.*, viii. 193. [10] Testament-dative, *St. Andrews Com. Reg.*, 11 June 1635. [11] *Lyon Office Records*, 34-64.

II. Alexander, second Lord Spynie, succeeded his father in 1607. As he was a pupil, his uncle, Sir John Lindsay of Wodwra, was served tutor-at-law.[1] He must have been born about 1597, for, on 29 June 1611, he cited the Earl of Crawford and other kinsmen in an action for choosing curators.[2] In November 1616 Lord Spynie, with consent of his curators and his two sisters, entered into a contract with David Lindsay of Edzell, who had been the cause of their father's death, under which they forgave and discharged him of the same, while Edzell by way of assythement bound himself to pay Lord Spynie 8000 merks and infeft him in the town and lands of Garlobank. On 3 March 1621 as *filius unigenitus* he was served heir to his father in Ballisak (Boysack), Kinblachmont (Kinblethmont) and other lands, as well as in the patronage of the churches of the Chapter of Moray.[3] He thereafter resigned the whole of these subjects for new infeftment, and on 16 July 1621 obtained a charter of novadamus thereof, and of other subjects which had been resigned by various persons in his favour, 'Alexandro Domino Spynie et *heredibus suis masculis* et assignatis quibuscunque.' On a narrative of his father's creation as Lord Spynie and of his restoration to the Crown of the original lordship and barony of that name, and of the royal desire that some connection should be maintained between the dignity and the estates, the King of new erected the lands of Boysack and others into a lordship to be known in all time coming as the lordship and barony of Spynie, and declared that Lord Spynie 'suique antedicti prædicto titulo et ordine dignitatis dicti dominii de Spynie fruerentur, cum omnibus honoribus, dignitatibus, prerogativis et preeminentiis eisdem spectan. secundum tenorem infeoffamenti dicto quond. suo patri desuper confect. ac secundum dicti quond. sui patris creationem in temporalem dominum tempore prescripto.'[4]

It is clear that the destination in this charter to heirs-male does not square with that to heirs-general of the marriage contained in the charter of 1593 to which it professes to conform. But as there was no resignation of the honours, it is equally clear that the destination of these

[1] *Inquisit. de Tutela*, 113. [2] Crawford Peerage Case, 133. [3] *Retours.* [4] *Reg. Mag. Sig.*

contained in the charter of 1593 can not be affected by anything in the charter of 1621. This charter was ratified in Parliament on 4 August 1621,[1] but the ratification makes no mention of the honours. On 19 March 1623, Lord Spynie obtained a charter of Carreston, which he acquired from Forbes of Craigievar, to himself and his heirs-male and assignees whomsoever.[2] On 28 April 1624, on his own resignation, he obtained a charter of Leys and other lands in favour of himself in liferent and his eldest son, Alexander, Master of Spynie, and the heirs-male of his body in fee, whom failing, to George Lindsay, his second son, and the heirs-male of his body, whom failing, to Lord Spynie's nearest heir-male and assignees whomsoever.[3]

By contract, dated 23 and 26 September 1629, between George, Earl of Crawford, Lord Lindsay, and Alexander, Lord Spynie, Lord Crawford, whose affairs were in confusion, sold and disponed various heritages, including the barony of Finavon and the family burial-place in the Parish Church of Dundee 'togidder with the style, tittill, honour and dignitie of the erldome of Crawford wzt all and sindrie honouris, dignities, &c., belanging thereto' to the said Alexander, Lord Spynie, 'and the airis-maill lawfullie to be gottin of his awin body quhilkis failzeing (to) the said noble Lord Alexander, Lord of Spynie, his narrest and lawful hairis-male and assigneyis quhatsumever.'[4] So far as the honours are concerned this transaction does not appear to have received the requisite royal confirmation, but the barony of Finavon and other subjects duly passed to Lord Spynie, who on 22 January 1631 obtained a Crown charter thereof.[5]

On 3 April 1617 a licence to go and remain abroad for three years was granted to Alexander, Lord Spynie.[6] On 25 January 1621 he is found attending a convention,[7] and thereafter he was frequently in his place in Parliament. He was one of the Scots nobles who attended the state funeral of King James VI. at Westminster on 7 May 1625.[8]

On 2 June 1626 he received from King Charles I. a patent appointing him for life 'His Majesteis General Mustour-

[1] *Acta Parl. Scot.*, iv. 654. [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] Crawford Peerage Claim, 88. [5] *Reg. Mag. Sig.* [6] *P. C. Reg.*, xi. 87. [7] *Ibid.*, xii. 44. [8] Balfour, *Annals*, ii. 117.

Maister and colonell of all and sindrie the trayned bandis and companies of all and haill his Majesteis Kingdome of Scotland and haill iles thereof adjacent and belonging thairto.'[1] On 8 February 1627 he received the royal permission to raise a regiment of three thousand men for the service of the King of Denmark—an undertaking in which, after some troubles, he was successful,[2] and he and his men earned great distinction for themselves in the Thirty Years' War, and notably at the siege of Stralsund in 1628.[3] He was back in Scotland by September 1629, when the contract in regard to Finavon was entered into.[4]

In 1633 his patent as Muster-Master was confirmed by Parliament,[5] and he appears to have entered on the duties of that office.[6] Besides taking part in public affairs, both local and national, he seems during the next few years to have become involved in several law pleas relating to his Forfarshire estates.[7] On 7 June 1642 he expede a general service as heir to his cousin Colonel Henry Lindsay, the last surviving son of Sir John Lindsay of Wodwra. (*See title* Crawford.) After the Covenanting troubles had begun he joined the Marquess of Montrose at Perth in September 1644, and was with him at the taking of Aberdeen. When Montrose marched north Lord Spynie remained in Aberdeen, where he was captured by Argyll and sent to Edinburgh, where he was 'wairdit.'[8]

Lord Spynie died in March 1646, having married, in 1620, Margaret, only daughter of George, first Earl of Kinnoull,[9] and by her, who died prior to 16 August 1650,[10] had issue:—

1. *Alexander*, Master of Spynie, who, by charter dated 11 August 1636, was by his father put in the fee of Finavon, Platten and other lands.[11] He married Jean, fourth daughter of John, first Earl of Ethie (*see title* Northesk), who survived him, and in 1647 was married,

[1] *P. C. Reg.*, 2nd ser., i. 293. [2] *Ibid.*, 539 *et seq.* [3] Monro's *Expedition*, part i. 74-78. [4] *Supra.* [5] *Acta Parl. Scot.*, v. 50. [6] *P. C. Reg.*, v. 237. [7] *Ibid.*, vi. 44 *et seq.* [8] Spalding, *History*, ii. 262 *et seq.* [9] Marriage-contract dated 19 August 1620 in Spynie Charter-chest. For a previous marriage to an alleged Joanna Douglas given by Sir Robert Douglas and the various writers who repeat his statements, there seems no authority. [10] In the marriage-contract of her daughter Margaret of that date, in Spynie charter-chest, she is termed 'umq^{le}.' [11] *Reg. Mag. Sig.*

secondly, to John Lindsay, afterwards of Edzel.[1] In 1638 he was one of those appointed to see that the National Covenant was duly subscribed in the shire of Forfar.[2] He died *s.p. vitâ patris.*

2. GEORGE, third Lord Spynie.
3. MARGARET, of whom hereafter.
4. *Anna*, baptized 7 June 1631,[3] died, unmarried, in 1707.

Lord Spynie seems to have had also an illegitimate son, for on 25 July 1649 Alexander Lindsay, son to the late Alexander, Lord Spynie, was apprenticed with Alexander Haliburton, merchant in Edinburgh.[4]

III. GEORGE, third Lord Spynie, was served heir-male to his father in the family estates in Forfar and other counties on 12 June 1646,[5] and on the same date he also expede a general service as heir-male of his brother-german Alexander, Master of Spynie.[6] In 1647 he was one of the few who opposed the surrender of King Charles I. to the English Parliament in return for the payment of the arrears due to the Scots Army.[7] Next year he was appointed one of the colonels for Forfarshire of the Scots Army,[8] and commanded a troop of eighty horse from the sheriffdom of Stirling and Clackmannan,[9] in the unsuccessful attempt to rescue the King, known as The Engagement. In 1650 he again appears as one of the colonels of Foot for Forfarshire,[10] and later, on the Committee for regulating the Army.[11] But the extreme faction was now in power. In its eyes participation in *The Engagement* was a sin of special enormity, and the General Assembly of 1649 accordingly passed an Act thereanent which throws a curious light on the methods of this self-constituted theocracy.[12]

Along with Colonel John Ogilvy, Lord Spynie therefore found it necessary on 3 January 1651 to present a petition to the Commission of the General Assembly, acknowledging 'their sense of and sorrow for their accession to the late unlawfull Engagement against the Kingdome of England and desyire to be receaved to publict satisfaction for the

[1] *Hist. of Carnegies*, 356; see also *Staggering State*, 19. [2] *P. C. Reg.*, 2nd ser., vii. 77. [3] Canongate Reg. [4] Edinburgh Register of Apprentices. [5] *Retours*. [6] *Ibid.* [7] Bishop Guthry's *Memoirs*, 237. [8] *Acta Parl. Scot.*, vi. 1, 30. [9] *Ibid.*, 56. [10] *Ibid.*, 625. [11] *Ibid.*, 654. [12] *Acts of the General Assembly*, 201.

same.' The Commission referred Lord Spynie to 'the Presbytrie of Brechin to labour with him for bringing him to a further sense of his foresaid offence, with power, upon sufficient evidence of his repentance, to prescrive and cause receave him to publict satisfaction according to the order appointed, and thereafter to take his subscription to the declaration engaged to be subscrived by engagers, and to admitt him to the renewing of the Solemn League and Covenant.'[1] This 'publict satisfaction' generally took the form of an obviously insincere confession of sin on the part of the victim during divine service on the Sabbath day followed by exhortations to the Almighty and to the penitent which, in less exuberant times, might be regarded as blasphemous. Some such delectable function must have duly taken place under the auspices of the Presbytery of Brechin, for, on 12 June, in appointing chaplains to the unfortunate troops, with whose spiritual and temporal well-being they were perpetually interfering, the Commission of Assembly were pleased to direct 'Mr. Robert Reynold to stay still with the Lord Spynie's regiment.'[2]

The regiment in question was of course intended for the English campaign which ended so disastrously at Worcester, where Lord Spynie was taken prisoner.[3] On 16 September he was committed to the Tower,[4] where were also confined the Earl Marischal, the Earl of Lauderdale, and other Scots nobles. His imprisonment, though prolonged, does not seem to have been unduly rigorous, for on 9 January 1652 he was allowed the liberty of the Tower for the benefit of his health,[5] and on 11 March 1653 he had the liberty of the city and ten miles round, on security to appear on summons, not to go beyond his limits, and not to act to the prejudice of Government.[6] For his maintenance the sum of £2 per week was allowed to him, chargeable against the public revenues of Scotland.[7] In the meantime, so far back as August 1651 his estates had been pillaged and his house assaulted by the Cromwellian troops under Monck, who found there a number of important people, including 'the Lady

[1] *General Assembly Commission Records*, ii. 183, Scottish History Society. [2] *Ibid.*, ii. 462. This seems to be the minister of St. Vigean's, and afterwards of Aberdeen. [3] Nicoll's *Diary*, 58. [4] *State Papers, Domestic*, 1651, 432 ; 1654, 273. [5] *Ibid.*, 1652, 95. [6] *Ibid.*, 1653, 210. [7] *Ibid.*, 1655, 128.

Spynee.'[1] Along with many others of the Scots nobility he was expressly excepted from Cromwell's Ordinance of Pardon and Grace,[2] and solemnly declared to be forfeited by proclamation at the Edinburgh Market Cross on 5 May 1654.[3] His estates were vested in trustees.[4] Their annual value is given as £462, 0s. 4d., and the debts affecting them are stated to amount to £12,382, 9s. 2d.[5] This debt seems to have been largely due to his expenditure on behalf of the Royal cause, and it also seems from the family papers to have been increased by the raising of money paid to secure the removal of the forfeiture.[6] On the Restoration Lord Spynie was one of those whose losses during the usurpation were remitted to a commission of inquiry.[7] He sat in Parliament in 1663.[8] On 8 November 1666 he was served as nearest and lawful heir-male of David, twelfth Earl of Crawford.[9] On the death of Ludovic, sixteenth Earl of Crawford (*see that title*), Lord Spynie became the head of the family of Lindsay. The earldom of Crawford, it may be remembered, had been diverted by means of a resignation and regrant to a remote cadet, viz. Lindsay of the Byres, but the older title, Lord Lindsay, which had somehow been omitted from the transaction, passed to Lord Spynie as the heir-male.[10] He sat in Parliament again in 1669,[11] and for the last time on 3 July 1670.[12] He died in the beginning of next year, and was buried in Holyrood on 21 January 1671.[13] He seems to have been in embarrassed circumstances, as Lady Jean Carnegie, widow of his elder brother, and now wife of John Lindsay of Edzell, was decerned executrix-dative *qua* creditor. The title of Lord Lindsay passed to the heir-male of the Lindsay family, whoever he may have been. As to this there may be some difficulty. The existence of Sir James Lindsay of Pitroddie,[14] immediate younger brother of Alexander, first Lord Spynie, was apparently not known in 1848, when the Earl of Balcarres obtained from the

[1] *Scotland under the Commonwealth*, Scot. Hist. Soc., 11. This seems a mistake, as Lord Spynie was not married, and his mother was dead. [2] *Acta Parl. Scot.*, vi. ii. 818. [3] Lamont's *Diary*, 70; Nicoll's *Diary*, 125. [4] *Acta Parl. Scot.*, viii. 821. [5] *State Papers, Domestic*, 1656, 362. [6] *Acta Parl. Scot.*, App. 87; see also *Reg. Mag. Sig.*, 1652-59. [7] *Acta Parl. Scot.*, vii. 294, 468. [8] *Ibid.*, 446. [9] *Retours*. [10] Cf. vol. iii. 35. [11] *Acta Parl. Scot.*, vii. 548. [12] *Ibid.*, viii. 4. The report of the Lords of Session to the House of Lords seems inaccurate on this point; see Robertson's *Proceedings*. [13] Canongate Reg. [14] *Supra*, iii. 30.

Committee of Privileges a recognition of his right to the titles of Earl Crawford and Lord Lindsay.[1] He is said[2] to have been 'beyond seas 1597,' and it is of course possible that he died without issue. But any male descendant of his would necessarily have been heir-male of George, Lord Spynie, and head of the house of Lindsay. The title of Spynie, on the other hand, as will be shown below, passed to Lord Spynie's heir-general, viz. his elder sister.

Margaret, eldest daughter of Alexander, second Lord Spynie, was baptized on 19 August 1623. She was married on or before 31 May 1648, to William Fullarton of Fullarton, from whom, on that date, she received a charter of the Mains of Meigle in implement of a contract of marriage agreed on between them,[3] and to whom she brought a tocher of 13,000 merks.[4] The ancient family of Fullarton of that Ilk is believed to be descended from Galfridus de Foullertoun and Agnes his wife, on whom King Robert I. conferred the lands of Fullarton and the hereditary office of King's Fowler within the shire of Forfar.[5] Having parted with their original lands and acquired others on the border of Perthshire, they transferred the name and had their new possessions erected into the barony of Fullarton. On her brother's death in 1671 she became entitled to, but did not assume, the Peerage of Spynie. And as his estates were embarrassed, neither she nor her sister Ann took up the succession to him. By William Fullarton she had three children, William, *Margaret*, and *Elizabeth*.[6] She and her husband were living on 10 August 1687, when, under reservation of certain liferent rights to them, their son William obtained a charter of the barony of Fullarton.[7]

William Fullarton died before 12 November 1746;[8] he married, prior to 1681, Susanna, second daughter of Colonel John Fullarton of Dudwick, by his wife Dame Elizabeth Preston,[9] and by her had issue:—

1. John.

[1] *Vide* Case for the Earl of Balcarres. [2] *Supra*, iii. 30. [3] Original charter in Spynie Charter-chest. [4] Postnuptial contract of marriage in Spynie Charter-chest. [5] Haddington MSS. in Adv. Bib., ii. 66. [6] Ratification and renunciation of 28 April and 17 May 1673 in Spynie Charter-chest. [7] *Reg. Mag. Sig.* [8] Dunkeld Tests. [9] Bond of tailzie dated 20 July 1681 in Spynie Charter-chest.

2. *Elizabeth*, married to David Ogilvy of Clunie, with a tocher of 9000 merks (contract 8 February 1705[1]). She died 8 November 1754, aged seventy-three.[2]

John Fullarton, married, first (contract 17 March and 7 September 1702), Margaret, daughter of John Carnegie[3] of Boysack;[4] and secondly, prior to 12 November 1735, Rebecca, daughter of Sir Thomas Nairne of Dunsinnan.[5] He died 13 October 1737,[6] having had issue by his first wife:—

1. William.
2. *Jean*, married, 22 October 1724, to Sir John Wedderburn of Blackness, who was out in the '45, and was executed by the Hanoverians at Kennington on 28 November 1746.[7]
3. *Susannah*, died, unmarried, 14 December 1761.[8]

VII. William Fullarton. He married, about 26 September 1730, Susanna, second daughter of David Ogilvy of Clunie.[9] He was served heir to his father on 30 July 1740, and to his grand-aunts Elizabeth and Margaret (*supra*), on 27 June 1746.[10] He died 7 June 1771,[11] having had issue by his wife, who survived till 1789:—

1. William.
2. *Margaret*, married to Walter Ogilvy of Clova, but for attainder sixth Earl of Airlie (*see that title*), and died without issue 3 June 1780.

William Fullarton. He was for some time in the Portuguese Army, in which he attained to the rank of lieutenant-colonel. He was served heir-general of George, Lord Spynie, designed as his 'pater abavunculi,' on 21 August 1783.[12] In 1784 he formally claimed the title of Lord Spynie, but on 18 April 1785 it was reported to the House of Lords that the Committee of Privileges had come to the following resolution: 'That it is the opinion of this committee that although the original creation of the title, honour, dignity and Peerage of Spynie has not

[1] Bond of tailzie dated 20 July 1681 in Spynie Charter-chest. [2] *Scots Mag.* [3] Cf. confirmation of his father's test., Dunkeld Tests. [4] Bond by Boysack of that date, *ibid.* [5] Postnuptial marriage-contract of that date, *ibid.* [6] Test. recorded 29 April 1742, *Dunkeld Comm. Reg.* [7] *Hist. of Carnegies*, lxxxv; *Wedderburn Book*, i. 284. [8] *Scots Mag.* [9] Postnuptial marriage-contract dated 7 and 9 February 1736 in Spynie Charter-chest. [10] *Decennial Indexes of Services.* [11] *Scots Mag.* [12] Retour in Spynie Charter-chest.

been shown, yet it sufficiently appears from the Act of Ratification 1592, the charter 1593, and the charter 1621, that the descent was limited to the heirs-male of Alexander, Lord Spynie, consequently that the claimant has no right to the said Peerage.'[1] This resolution has been generally regarded as erroneous,[2] and Mr. Riddell assails both the resolution itself and Lord Mansfield, who seems to have been responsible for it, with more than his usual vigour.[3] The following statement of the late Earl of Crawford also deserves attention. 'Convinced, however, that on reconsideration of the case the House would now pronounce a judgment favourable to the heir-female, the Earl of Balcarres did *not* include the barony of Spynie among the ancient honours of the Crawford family recently claimed by him before the House of Lords.'[4] The grounds of the Committee's decision seem to have been these. In the *Cassillis* case it had been laid down 'that where no instrument of creation or limitation of the honours appears the presumption of law is in favour of the heir-male'—though it was open to the heir-female, as in the *Sutherland* case, to displace this presumption by evidence to the contrary. In Lord Mansfield's view, the Spynie Peerage had been created by the ceremony of 4 November 1590 without any writing to indicate the descent, and therefore the presumption in favour of the heir-male applied. In Mr. Riddell's view the Peerage was created by the charter of 6 May 1590, and the ceremony of 4 November was only equivalent to investiture or infeftment, and he presses his argument so far as to maintain that no Peerage was ever created merely by belting. So far the facts seem rather against him and in favour of Lord Mansfield. But in the result he seems clearly right and Lord Mansfield as clearly wrong. Even if it be assumed (1) that the charter of 6 May 1590 did not confer the Peerage; and (2) that it was conferred by belting; it seems clear either that the Ratification of 1592 and the charter of 17 April 1593 must be accepted as authoritatively declaring the destination of the original Peerage, or that this charter contained a new grant of

[1] Robertson's *Peerage Proceedings*, 429; see also Mr. Maidment's Report of the Spynie Claim. [2] See, *e.g.*, Hewlett, *Dormant, etc., Peerages*. [3] *Peerage Law*, ii. 654, 707. [4] *Lives of the Lindsays*, ii. 255 *note*.

Peerage to Lord Spynie and the heirs therein prescribed. In the first case, the presumption on which Lord Mansfield relied is displaced; in the other, Colonel Fullarton was plainly entitled to a Peerage created by the charter of 17 April 1593. There is nothing anomalous in such a double grant. Lord Mansfield himself was Earl of Mansfield by two separate creations with different limitations; and the original earldom of Oxford is believed to have been for centuries held along with another earldom of Oxford limited to heirs-male and now extinct. In these circumstances, and in view of the fact that a resolution of the Committee of Privileges has not the effect of finally deciding the matter dealt with, it seems proper to continue the pedigree of the heirs of line who but for that resolution would have succeeded to the dignity.

Colonel Fullarton, who assumed the name and designation of Lindsay of Spynie, died on 23 February 1813, having married, first, Stewart, only child of James Carnegie of Boysack, who died in 1764; and, secondly, on 5 November 1765, Margaret, daughter of James Blair of Ardblair. By his first wife he had issue an only son,

James Fullarton Lindsay Carnegie, born in February 1764. In terms of an entail made by his grandfather, to whom he was served heir on 17 April 1771, he succeeded to the estate of Boysack in 1768, and assumed the name of Carnegie. He became a member of the Faculty of Advocates on 10 August 1784; and married, in 1786, Mary Elizabeth, daughter of James Strachan of Mincing Lane, London.[1] He died *vitâ patris* 7 April 1805, leaving issue by his wife, who survived him until 12 September 1816.

1. James Lindsay Carnegie.
2. William Fullarton Lindsay Carnegie.
3. *Alexander Lindsay*, born 28 April 1789, captain of the H.E.I.C. ship *Kelly Castle*. He died at sea 25 July 1822, leaving issue by his wife Amy, only daughter of Alexander Cruickshank of Stracathro, whom he married 31 October 1820, an only son,
    (1) *Alexander*, born 1 November 1821. Sometime captain in the 8th Hussars, He married, in 1850, his cousin, Jane Lindsay Carnegie (*infra*), and by her had issue.

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[1] Contract, dated 31 May 1786, in Spynie Charter-chest.

4. *John Mackenzie Lindsay*, born 15 March 1792. Writer to the Signet 1814; Principal Clerk of Session 26 February 1847; Director of Chancery 25 June 1858. He died 4 August 1873, having had by his wife Florence, daughter of Rev. Charles Brown, Rector of Whitestone, Devon, whom he married 22 July 1835, an only daughter, Emily Rose, married, 8 September 1864, to Colonel Duncan Stewart of the 92nd Highlanders, with issue Ian Charles Lindsay, Ronald Robert, Archibald Alan William John.
5. *Donald Lindsay*, born 1794. He became a Chartered Accountant in Edinburgh, and acquired the estate of Ardargie, in Perthshire. He died, unmarried, on 17 December 1876.
6. *Susan*, born 26 May 1790. Married, 15 March 1814, to Thomas Tod, Advocate, afterwards Judge of the Commissary Court, and died 5 July 1815, having had one daughter, Susan Mary Elizabeth, married, 1836, to Robert Oliphant of Rossie, with issue.
7. *Mary Stuart*, born 7 April 1791, died young.
8. *Margaret Northesk*, died, unmarried, 23 February 1818.

James Lindsay Carnegie, born 6 March 1787, succeeded his father in Boysack 7 April 1805. He entered the Royal Navy, and rose rapidly to the rank of commander. He died at sea 5 October 1814, unmarried, and was succeeded by his brother,

William Fullarton Lindsay Carnegie. He was born 13 May 1788, and for some time had a commission in the Royal Artillery. He was served heir to his brother 20 March 1815. He married, 27 December 1820, Lady Jane Christian Carnegie, daughter of William, seventh Earl of Northesk (*see that title*), who died 1 October 1840, and died 13 March 1860, having had issue:—

1. *James Jervis Ogilvy*, born 1821, died 1831.
2. *William*, born 1825, died 1846.
3. *John*, born 1833, died 1857.
4. *Charles Edward*, died young.
5. Henry Alexander.
6. Donald Christian Strachan.

7. *Mary Elizabeth*, married, 1845, to Major George Gordon of the Indian Army, with issue.
8. *Jane*, married, 1850, to her cousin Captain Alexander Lindsay (*supra*), with issue.
9. *Susan*, married, 1855, to Robert Ramsay, with issue. She died 17 February 1906.
10. *Helen*.

Henry Alexander Lindsay Carnegie, born 5 July 1836, succeeded his father in 1860, and was for some time in the Bengal Engineers. He married, 1862, Agnes, eldest daughter of James Rait of Anniston, by his wife Lady Clementina Ogilvy (*see title* Airlie), and died without issue 1908, when he was succeeded by his brother,

Donald Christian Strachan Lindsay Carnegie, born 9 July 1840, sometime major in the Bengal Cavalry.

Creation.—Lord Spynie, 1590, or at latest 17 April 1593.

Arms (not recorded in Lyon Register but given in Peers' Arms ms.).—Quarterly: 1st and 4th, gules, a fess chequy argent and azure, *for Lindsay*; 2nd and 3rd, or, a lion rampant gules debruised by a ribbon sable, *for Abernethy*; in the centre of the quarters a crescent argent for difference.[1]

Crest.—An ostrich's head and neck erased azure, holding in its beak a horse-shoe proper.

Supporters.—Two lions sejant gules.

Motto.—*Toujours Loyal.*

[J. R. N. M.]

[1] Pont's ms. omits the crescent, and differences the 1st and 4th quarters with a label argent, and puts the same difference on the necks of the crest and supporters. The Seton *Armorial*, compiled early seventeenth century, differences the first and fourth quarters alone by a label.

DALRYMPLE, EARL OF STAIR

DALRYMPLE as a surname is local, and is derived from the barony of that name in Ayrshire. Sir Herbert Maxwell derives it from the Gaelic *dal chrium puill*, land of the curved pool. During the reign of King David II. the barony existed in a state of division into two equal parts, which were separately held by two Dalrymples, who were probably derived from a common progenitor.[1] In May 1371, John Kennedy obtained a charter from Robert II. of one half of the barony of Dalrimpill 'in Ayrshire upon the resignation of Malcolm, the son of Gilchrist, the son of Adam de Dalrimpill;[2] and in December 1377 the same John Kennedy obtained another charter from King Robert II. of the other half of the barony of Dalrimpill upon the resignation of Hew, the son of Roland de Dalrympill.'[3] In the reign of King James II., James de Dalrymple was witness to the confirmation, dated 21 November 1450-51, of a charter of date 27 January 1405, granting] the barony of Dalrymple to Sir James Kennedy and his spouse, Lady Mary Stuart, daughter of King Robert III.[4]

[1] Chalmers's *Caledonia*. [2] *Reg. Mag. Sig.*, folio vol. 83, 285. [3] *Ibid.*, 121, 7. [4] *Ibid.*

Stair

Hay of Drumboote, in the dedication to his *Vindication of Elizabeth More* (Queen of Robert II.) *and her Children*, says this James Dalrymple left two sons—Robert de Dalrymple of Camraggan, Laucht, and Dalbane, in Carrick, and James de Dalrymple of Boltoun, Pilmure, Overboltoun, Polbuth, and Inglesfield, in the Constabulary of Haddington, which lands he obtained for his services when ambassador to Philip, Duke of Burgundy, in 1449, and during his negotiations elsewhere, as the charter, dated at Edinburgh 12 August 1459 purports. Robert Dalrymple of Camraggan was succeeded by his son John upon his own resignation 10 August 1440.[1] John de Dalrymple of Camraggan, grandson of Robert, had a charter by King James IV. to him and Elizabeth Dalrymple, his spouse, of the £5 land of Camraggane, 18 June 1498.[2]

From these charters being in the Stair charter-chest, it seems likely that William Dalrymple, who married Agnes Kennedy, heiress of Stair, and from whom the Stair family is descended, was connected with these Dalrymples of Laucht and Camraggane.

WILLIAM DALRYMPLE, ancestor of the Earls of Stair, married Agnes Kennedy, heiress of the estate of Stair Montgomery in Ayrshire,[3] for which marriage a bull was granted by Pope Nicolas, they being in the third and fourth degrees of affinity, which bull was directed to James Kennedy, Bishop of St. Andrews, dated 3 February 1451-52.[4] They had issue:—

1. WILLIAM.

WILLIAM DALRYMPLE of Stair married Marion, daughter of Sir John Chalmers of Gadgirth. He had a charter of a six merkland of the lands of Stair with his spouse, Marion Chalmers, 20 October 1481,[5] and sasine of Stair as heir to Agnes Kennedy, his mother, 11 April 1491.[6] Marion, Lady Stair, was one of the Lollards of Kyle, and was summoned before the King's Council in 1494 on account of her heretical

[1] *Reg. Mag. Sig.*, folio vol. 121, 7. Original in Stair Charter-chest [2] *Ibid.* [3] Copy 'Inventar of the old evidentis of the Stair.' [4] Copy of that Inventar and Father Hay's MS. in Advocates' Library, 35, 4.17. [5] Stair Charters. [6] Stair Charter-chest.

opinions. The magnanimity of James IV. treated the charges with contempt, and the accused persons were dismissed.[1] William Dalrymple and Marion Chalmers had issue:—

1. *John*,[2] who appears to have married twice, first, in 1506-7, Christina Crawfurd: they had a dispensation as in the third degree of consanguinity 29 March 1507;[3] secondly, Elizabeth ——. He died *vitâ patris* before February 1530, at which date he is mentioned as deceased in a notarial instrument by his father.[4] He left issue:—

    (1) WILLIAM, who succeeded his grandfather.

2. *Robert*.[5]

WILLIAM DALRYMPLE. He had, with Margaret Wallace, his spouse, a charter of the lands of Stair, dated 12 February 1530, in which he is designed grandson and heir-apparent to William Dalrymple of Stair, the granter, who reserved his own liferent and terce to Marion Chalmers, his spouse.[6] He had sasine of the lands 2 March 1530.[7] He was dead before 1548.[8] He married Margaret Wallace, to whom he was related in the third degree of consanguinity. This appears from the dispensation for their marriage, granted by Pope Clement VII., under date 10 July 1523.[9] By her he had:—

1. JAMES, who succeeded him.
2. *Alexander*, who, on 30 April 1555, had sasine of the fee of the forty shilling lands of Balkissock. Margaret Wallace, his mother, had sasine of the liferent.[10]
3. *William*, called 'my brother' by James Dalrymple of Stair, in a charter granted by the latter on 9 July

[1] Pinkerton's *History of Scotland*, ii. 418. [2] Called *William* by Douglas, and in the Stair 'Inventar.' [3] *Roman Transcripts*, vol. xxxi., Record Office, London, Extracts relating to marriage dispensations. This is probably the true origin of the tradition so long maintained of a marriage between a Dalrymple and a daughter of Crawfurd of Leifnorris. [4] Protocol Book of Gavin Ros, Scottish Record Society, No. 1114. [5] Stair Charters. [6] *Reg. Mag. Sig.* [7] Protocol Book of Gavin Ros, *ut sup.*, No. 1136. [8] Protocol Book of Henry Preston, 1547-51, H.M. Gen. Reg. House, f. 12. [9] Stair Charter-chest. [10] Original Sasine in Stair Charter-chest.

1563;[1] and styled 'son of the deceast William Dalrymple of Stair' in a discharge granted by him to his brother James, dated 27 October 1573.[2]

James Dalrymple of Stair signed the Confession of Faith and entered into the association for the defence of the 'True Reformed religion.'[3] In December 1552 he received a remission for his treason in supporting Lennox, Angus, and their accomplices at the time they were at Leith against the Governor in open rebellion.[4] With the Duke of Chatelherault and others he opposed Queen Mary's marriage with Lord Darnley on account of the danger that might thereby arise to religion; but the Duke being unsuccessful in his attempt to seize Darnley and send him to England, his adherents were obliged to take remissions for it, and that of the Laird of Stair is dated 1566.[5] He was one of those who entered into the association for the defence of King James vi., 1567.[6] James Dalrymple died 3 August 1586,[7] having married, 1563, Isabel, daughter of Thomas Kennedy of Bargany,[8] and by her, who survived him, had issue:—

1. John, who succeeded.
2. James of Drummurchie, of whom later.
3. *Thomas.*[9]

John Dalrymple of Stair, eldest son, married, on or shortly after 4 February 1582-83,[10] Margaret, daughter of William Dunbar of Blantyre, and by her, who was married, secondly, in June 1614, to Alexander Cuninghame of Powton,[11] had issue:—

1. James.

James Dalrymple of Stair, married (contract 15 April 1613[12]) Marjory, daughter of Allan Cathcart of Waterside. This James Dalrymple made over the lands of Stair to his uncle, James Dalrymple of Drummurchie, by contract dated 12 October 1620.[13] They had issue:—

1. *James.*

[1] Stair Charter-chest. [2] *Ibid.* [3] Knox's *History*. [4] *Reg. Sec. Sig.*, vol. xxv., 1542-55. [5] *Ibid.* [6] Writs and Records from the year 1567 to 1572. [7] Edin. Tests. [8] Stair Charter-chest. [9] *P. C. Reg.*, xiv. 393. [10] Mason's. Protocol Book, Ayr and Galloway Arch. Ass., vi. 172. [11] *Gen. Reg. Inhibs.*, 22 September and 30 October 1620. [12] Stair Charter-chest. [13] *Ibid.*

James Dalrymple of Drummurchie, who thus became possessed of the lands of Stair, was second son of James Dalrymple of Stair and Isabel Kennedy. In May 1606 he was accused of shooting with a pistol at David Dunbar, near Newton-on-Ayr.[1] He died in January 1625,[2] having married (contract 9 September 1617) Janet Kennedy, daughter of Fergus Kennedy of Knockdaw,[3] and by her, who married, secondly, Hugh Campbell of Balloch,[4] and died in 1663, had issue:—

1. James.

I. James Dalrymple of Stair, the only child, was born at Drummurchie, in the parish of Barr, Ayrshire, in May 1619.[5] Educated at Mauchline Grammar School,[6] he was entered at the age of fourteen at the University of Glasgow, where he took the degree of Master of Arts, 1637.[7] Later he had a company of Foot in the regiment of William, Earl of Glencairn, afterwards Chancellor. At the solicitation of some of the Professors in the University of Glasgow, he stood a candidate in buff and scarlet at a competitive trial for a Chair of Philosophy then vacant, in which he was successful.[8] On 17 February 1648 he was admitted a member of the Faculty of Advocates, Edinburgh;[9] and was secretary to the commissions for treating with Charles II., 1649 and 1650. Appointed a Judge of the Court of Session, he took his seat—not without reluctance, as he gave up an extensive practice—1 July 1657. The day before General Monck marched into England at the time of the Restoration, he had a private conference with James Dalrymple, desiring his candid opinion what was best to be done for settling the three nations, to which he replied that the wisest and fairest way was to procure a meeting of a full and free Parliament.[10] At the Restoration he went to London to wait on Charles II., who knighted him, and re-appointed him one of the Lords of Session 1 June 1661. After the establishment of Episcopacy in Scotland, a declaration against the Covenant was appointed to be

[1] *P. C. Reg.*, xiv. 436. [2] Glasgow Tests. [3] Stair Charter-chest. [4] *Ibid.* [5] Crawfurd's *Peerage.* [6] Forbes's *Journal of the Session.* [7] *Munim. Univ. Glasguen.*, iii. 22. [8] Forbes's *Journal.* [9] Books of Sederunt. [10] Forbes's *Journal.*

taken by all persons in public trust. Sir James Dalrymple would not sign the declaration, and resigned his judgeship. He was, however, ultimately prevailed on to sign it, under the qualification that he only declared against whatever was opposite to His Majesty's just rights and prerogative, and he was reinstated in office. Charles II. created him a Baronet 2 June 1664,[1] with remainder to heirs-male of his body. Appointed President of the Session 7 January 1671,[2] and a Privy Councillor; M.P. for Wigtownshire 1672, and again in 1673[3] and 1681. Sir James declined to take the Test Act in 1681, and was deprived of his judgeship. He retired to Holland in 1682, and resided for a time at Leyden. On 2 December, Mackenzie, as Lord Advocate, was ordered to charge Stair, Lord Melville, Sir John Cochrane of Ochiltree, and several others, with treason, for accession to the rebellion of 1679, the Rye-House Plot, and the Expedition of Argyll. The proceedings against Stair were continued by successive adjournments till 1687, when they were dropped, and on 28 March a remission was recorded in favour of Stair and his family.[4] Stair refused to accept the remission, and remained in Holland. He returned to England with William of Orange in 1688, and the following year was again appointed President of the Session. King William created him a Peer of Scotland, with the title of VISCOUNT OF STAIR AND LORD GLENLUCE AND STRANRAER, with remainder to the heirs-male of his body, by Patent dated 21 April 1690.[5] Besides being a distinguished lawyer, Lord Stair was also an author, and published *Institutions of the Law of Scotland*, *Physiologia Nova Experimentalis*, *Vindication of the Divine Perfections*. He died at his house in Edinburgh 25 November 1695, and was buried in the Church of St. Giles, where a tablet has recently (1906) been erected to his memory. Lord Stair married (contract 20 September 1643[6]) Margaret Ross, relict of Fergus Kennedy of Knockdaw, and daughter of James Ross of Balneil, and by her, who died 1692, and was buried at Kirkliston,[7] had issue:—

[1] Stair Charter-chest. [2] Books of Sederunt. [3] *Members of Parliament for Scotland*, Foster. [4] *Dict. Nat. Biog.* [5] Diploma, Stair Charter-chest. [6] Stair Charter-chest. [7] *Memoirs of John, Earl of Stair*, by an Impartial Hand.

1. JOHN DALRYMPLE, styled till his father's death Master of Stair, of whom later.
2. *Sir James Dalrymple* of Borthwick, Bart., was born 1650; admitted a member of the Faculty of Advocates 25 June 1675;[1] a Commissioner of Supply for Ayr 1686,[2] and again in 1689-90.[3] He was made a burgess of Musselburgh 27 June 1691,[4] and of Irvine 21 September 1692;[5] appointed one of the Commissaries of Edinburgh and one of the Principal Clerks of Session 30 November 1693,[6] and a Commissioner of Supply for Edinburgh 1695;[7] created a Baronet 28 April 1697, as Sir James Dalrymple of Kelloch, with remainder to the heirs-male of his body and their heirs-male for ever.[8] He was presented with the freedom of the Burgh of Canongate 6 September 1701.[9] Sir James was an author and eminent antiquary, and published Collections concerning Scottish History, which was dedicated to Queen Anne, and an edition of Camden's *Scotland*. He died at Borthwick Castle, Mid-Lothian, 1719,[10] and was buried in Borthwick Church.[11] He married, first (contract 2 January 1679[12]), Catherine, daughter of Sir James Dundas of Arniston, and by her had issue:—

(1) *James*, born 6 November 1680,[13] died November 1687.[14]

(2) *Sir John Dalrymple*, second Baronet, born about 1682; admitted a member of the Faculty of Advocates 25 January 1704;[15] Principal Clerk of Session 1709,[16] on his father's resignation of that post. He was a keen agriculturist, and wrote *An Essay on the Husbandry of Scotland, with a proposal for the further improvement thereof*, published in 1745. He died 24 May 1743,[17] having been twice married: first (contract 7 August 1702), to Elizabeth, daughter of William Fletcher of New Cranstoun, advocate, by Esther Cunningham, his wife,[18] and by her had issue:—

i. *James*, born 2 June 1703;[19] died young.

ii. *Sir William Dalrymple*, third Baronet of Kelloch and Cousland, born 23 September 1704; admitted a member of the Faculty of Advocates 27 January 1730.[20]

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[1] Books of Sederunt. [2] *Acta Parl. Scot.*, viii. 588a. [3] *Ibid.* [4] Oxenfoord Papers. [5] *Ibid.* [6] *Ibid.* [7] *Acta Parl. Scot.*, ix. 374. [8] *Reg. Mag. Sig.* [9] Oxenfoord Papers. [10] *Scots Courant*, 11-13 May 1719. [11] Letter of Sir John Dalrymple, fourth Baronet. [12] *Arniston Memoirs*, 39. [13] Edin. Reg. [14] Retour of Service of John Dalrymple, *Services of Heirs*, 1700-1749. [15] Books of Sederunt. [16] *Ibid.* [17] *Scots Mag.* [18] Oxenfoord Papers. [19] Edin. Reg. [20] Books of Sederunt.

He died at Cranstoun 26 February 1771,[1] and was buried, 2 March 1771, in the Greyfriars Churchyard, Edinburgh.[2] He married, first, before 1726, Agnes, daughter of William Crawford, Glasgow, and by her, who died 13 September 1755,[3] had issue:—

(i) *Sir John Dalrymple*, fourth Baronet of Cousland, born 1726; admitted advocate 20 December 1748;[4] Baron of Exchequer 11 May 1776-1807;[5] was author of various works, including *Memoirs of Great Britain and Ireland.* He died at Oxenfoord Castle, Mid-Lothian, 26 February 1810,[6] and was buried at Cranstoun. He married, 7 October 1760,[7] without her father's consent, his cousin, Elizabeth, only surviving child and heiress of Thomas Hamilton Makgill of Fala and Oxenfoord (which surname he took in addition to his own), by Elizabeth Dalrymple, his wife, and by her, who was baptized 28 November 1737,[8] and who died 4 May 1829,[9] and was buried at Cranstoun, had issue:—

a. *Thomas*, died at Edinburgh 2 February 1770.[10]

b. *William*, born 1764, a midshipman in the Royal Navy, killed in the action off the coast of Virginia, between the *Santa Margarita* and the *Amazone*, a French ship, 29 July 1782.[11] There is a monument to him in Westminster Abbey.

c. *Hew*, died young.

d. JOHN, succeeded as eighth Earl of Stair.

e. *James*, a midshipman in the Royal Navy. Died of yellow fever, on board the *Thetis* frigate, 17 October 1796.[12]

f. NORTH, born 1776, succeeded as ninth Earl of Stair: of him later.

g. *Robert*, born 1780,[13] served in the Army in the 3rd Guards; ensign 21 December 1799; lieutenant and captain 24 March 1803. Accompanied the Guards to the Peninsula, and wrote a narrative of the campaign of 1809 up to the battle of Talavera, where he was killed, 28 July 1809.[14]

h. *Elizabeth*, born 1761, married at Edinburgh, 20 February 1790,[15] to Myles Sandys of Graithwaite Hall, co. Lancaster, and had issue. She died 1834.

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[1] *Scots Mag.* [2] *Epitaphs and Monumental Inscriptions of Greyfriars Churchyard.* [3] *Caledonian Mercury.* [4] Books of Sederunt. [5] *Scots Mag.* [6] *Ibid.* [7] Stair Papers, Lochinch. [8] Fala Register. [9] *Blackwood's Mag.* [10] *Scots Mag.* [11] M. I., Westminster Abbey. [12] *Scots Mag.* [13] Oxenfoord Papers. [14] *Scots Mag.* [15] *Annual Register.*

i. Agnes, died, unmarried, in Edinburgh, 30 December 1840.[1]
j. Helen, died young.
k. Christian, died young.
l. Jane, married at Madras, 15 March 1806, to William Horsman,[2] and had issue. She died, 12 November 1833.[3]
m. Martha, married in India,[4] 4 November 1809, to Lieutenant Thomas Sampson of 1st Battalion 59th Regiment. He was killed at the capture of Java, September 1811.[5] They had no issue, and she died in 1863.

(ii) *William*, born probably 1748, an officer in the army; captain-commandant of the regiment of Royal Irish Volunteers, raised by him in the year 1776;[6] he distinguished himself at the capture of Fort Omoa, on the Spanish Main, where he and Commander Luttrell of the Royal Navy commanded the forces, 1779.[7] He succeeded to his uncle's estates of Cleland, in Lanarkshire, and Fordel, in Mid-Lothian, and died 3 March 1794,[8] having married Diana, daughter of Mr. Molyneux of Preston, co. Lancaster, and by her, who died at Lancaster 27 April 1817,[9] had issue:—

a. Marton Dalrymple of Fordel; married, at London, May 1798,[10] Frances Ingram Spence of Hanover Square, by whom he had issue. He died 21 November 1809.[11] His widow was married, secondly, at Cleland House, 6 December 1814, to the Rev. John Thomson, minister of Duddingston, the celebrated painter.[12]
b. John, major 40th Regiment of Foot; killed at Monte Video 3 February 1807.[13]
c. Hew, lieutenant Royal Navy; died 1810.
d. Elizabeth.
e. Wilhelmina.
f. Frances Ellen, married to Rev. George Roberts, residing at Grotton, Northamptonshire.
g. Caroline, married at Madras, December 1815, to James Morgan Strahan.[14]
h. Diana.

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[1] Diary of eighth Earl of Stair, Oxenfoord Castle. [2] Marriages at Fort George, Madras, *Genealogist*, xxii. 200. [3] Lodge's *Peerage*. [4] Diary of ninth Earl of Stair, at Lochinch. [5] *Memoir of the Conquest of Java*, by Major William Thorn, 68. [6] Bargany Tree. [7] *Caledonian Mercury*. [8] *Scots Mag.* [9] *Ibid.* [10] *Ibid.* [11] M. I., Bothwell Church. [12] *Scots Mag.* [13] *Ibid.* [14] *Gentleman's Mag.*

(iii) *Agnes*, born 31 August 1728.[1]

(iv) *Elizabeth*, born 1733, married to William Hamilton of Bangour, who died 1754, and was interred in the Chapel Royal, Holyrood House, on 23 August.[2] She died 5 September, and was buried 8 September 1779, in the grave of her husband in Chapel Royal, Holyrood House.[3]

Sir William Dalrymple married, secondly, Ann Philp, and by her, who died at Wexham 11 September 1814,[4] had issue:—

(v) *James*, a lieutenant-colonel in the Army, distinguished himself in India, and died at Hyderabad 9 December 1800, where there is a monument to his memory.[5]

(vi) *Samuel*, born 1760, lieutenant Royal Irish Regiment February 1776; captain, 29 August 1778; served in the expedition to St. Juan 1779; ensign 3rd Foot Guards 2 January 1782, lieutenant 24 October 1788, captain 20 March 1794, brevet of colonel 1 January 1800; served in the expedition to Egypt 1800-1; brigadier-general West India Staff March 1804; major-general 1 January 1805; governor of Berbice 1810, lieutenant-general 4 June 1811; general 4 March 1825. Died at Lorient, in Brittany,[6] 2 October 1832,[7] and was buried there, the French giving him a military funeral. He married, first, 5 October 1791,[8] Hannah, daughter of John Tweddell of Unthank Hall; she died 6 May 1829, leaving issue; secondly, 10 May 1831, Mary Amelia, eldest daughter of Roper Head, Esq. of Ashfield, but by her he had no issue.

(vii) *Simon*, lieutenant-colonel 1st Battalion 14th Regiment, died at Seringapatam, in India, 1 January 1804,[9] buried in Garrison Cemetery.

(viii) *Hew*.

(ix) *Matthew Martin*.[10]

(x) *Anne*.

(xi) *Jane*, married to Major-General Roberts. She died 3 March 1826.

(xii) *Wemyss*, married to the Hon. Leveson Granville Keith Murray, fifth son of fourth Earl of Dunmore. He died 4 January 1835; she died in India 28 December 1804.[11]

(xiii) *Christian*, married, 15 (contract 12) November 1805,[12] to Hugh Stewart, younger son of Sir John Stewart of Allanbank, Bart. He died 11 January 1837, and she died 1 July 1806.[13]

(xiv) *Romney Beckford*.

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[1] Edin. Reg. [2] Holyrood Burial Reg. [3] *Ibid.* [4] *Scots Mag.* [5] M. I., and Diary of ninth Earl of Stair at Lochinch. [6] French newspaper. [7] *Scots Mag.* [8] *Ibid.* [9] *Ibid.* [10] Oxenfoord Papers. [11] *Scots Mag.* [12] Paper at Lochinch. [13] *Ibid.*

iii. *Elizabeth*, born 12 August 1709;[1] married, 1735,[2] to Thomas Hamilton Makgill of Fala and Oxfurd, and had issue a daughter, *Elizabeth*, who was married to her cousin, Sir John Dalrymple, fourth Baronet of Cousland. Thomas Hamilton Makgill died 18 October 1779,[3] and was buried in Fala Church.[4]

iv. *Jean*, born 14 June 1714;[5] married to George Reid, Esq., a cadet of the family of Barra, and had issue.[6]

Sir John Dalrymple, second Baronet, married secondly Sidney, daughter of John Sinclair of Ulbster, and by her, who died 20 October 1759,[7] had issue:—

v. *James*, who died *s.p.*

vi. *Gustavus*, an officer in the Army; died unmarried.[8]

vii. *Hew*, of Fordel, married, at Bargany, 25 April 1754,[9] Helen Wemyss, born 11 April 1729,[10] youngest daughter of the fourth Earl of Wemyss. He died *s.p.* in Edinburgh 11 December 1784,[11] and Lady Helen died at Edinburgh 1 October 1812.[12]

viii. *Sidney*, married to —— Lester, Esq., and had issue.

ix. *Catherine*, married to Captain Hugh Moodie, an officer in the Army, and had issue.[13]

x. *Christian*, died unmarried.[14]

xi. *Margaret*, married to John Sinclair, younger of Freswick, and had issue.[15]

(3) *Robert* of Kelloch, born 25 July 1685;[16] Writer to the Signet 28 March 1707, died in London 25 December 1765.[17] He married, 5 September 1711,[18] Elizabeth, daughter of William Boick, merchant burgess,[19] and had issue:—

i. *James*, born 7 October 1712.[20]

ii. *John*, admiral in the Royal Navy, married, at London, 25 November 1765,[21] Elenore, daughter of Sir Charles Howard, Knight of the Bath.[22] He died 10 October 1798,[23] and she died February 1821;[24] they left issue.

iii. *Robert*, born 22 April 1716.[25]

iv. *William*, born 28 October 1720.[26]

v. *Hew.*[27]

vi. *Anne*, born 21 March 1714;[28] married to Thomas Pritchard, of London, and had issue.[29]

vii. *Jean*, born 22 September 1717;[30] married to Andrew Colly, Esq., London, without issue.[31]

viii. *Charlotte.*

ix. *Elizabeth.*

x. *Katherine*, died unmarried.[32]

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[1] Edin. Reg. [2] Oxenfoord Papers. [3] *Caledonian Mercury.* [4] Ms. Account of Hamiltons of Fala at Oxenfoord Castle. [5] Edin. Reg. [6] Bargany Tree. [7] *Edin. Chronicle.* [8] Bargany Tree. [9] *Caledonian Mercury.* [10] Fraser's *Family of Wemyss.* [11] *Caledonian Mercury.* [12] *Annual Register.* [13] Bargany Tree. [14] *Ibid.* [15] *Ibid.* [16] Edin. Reg. [17] *History of Writers to Her Majesty's Signet.* [18] Edin. Reg. [19] *Ibid.* [20] Edin. Reg. [21] *Scots Mag.* [22] Bargany Tree. [23] *Scots Mag.* [24] *Annual Register.* [25] Edin. Reg. [26] *Ibid.* [27] Bargany Tree. [28] Edin. Reg. [29] Bargany Tree. [30] Edin. Reg [31] Bargany Tree. [32] *Ibid.*

(4) *Jean.*[1] In Bargany Tree Jean is entered as having married George Gray, but the evidence of the marriage-contract indicates Elizabeth.
(5) *Margaret*, born 10 December 1679;[2] married to Adam Hepburn, younger of Humbie, and had issue. She died 1702, and was buried, in April, in the Greyfriars.[3]
(6) *Christian*, born 29 July 1684.[4]
(7) *Elizabeth*, born 29 December 1686,[5] married, as his second wife, to George Gray (contract dated 8 January 1719[6]). She died September 1728.[7]

Sir James Dalrymple, first Baronet, married, secondly[8] (contract 15 September 1691[9]), Esther, daughter of John Cunninghame of Enterkine, W.S., widow of William Fletcher of New Cranstoun, and by her, who died 1700, and was buried, 7 April, in Greyfriars Churchyard, Edinburgh,[10] had issue:—

(8) *James Dalrymple* of Harvieston, Mid-Lothian, born 10 July 1692;[11] married Martha Crawford, and by her, who died 20 September 1766,[12] had issue. He died at Harvieston, probably 1760.[13]
    i. *James*; his sister Esther was served heir to him 29 March 1756.
    ii. *Martha*, baptized 19 December 1722;[14] died 1776.[15]
    iii. *Esther*; married to William Campbell of Stobs.[16]
(9) *Hew*, born 7 May 1693.[17]
(10) *William*, born 30 April 1694.[18]
(11) *Thomas*, born 3 June 1695.[19]
(12) *David*, born 10 July 1698.[20]
(13) *Esther*, born 7 June 1696;[21] died young.
(14) *Esther*, born 9 April 1700.[22]

Sir James Dalrymple, first Baronet, married, thirdly, 7 September 1701,[23] Jean Halket, widow of Sir Adam Gordon of Dalpholly. She survived him, and died in Edinburgh May 1734.[24]

3. *Sir Hew Dalrymple*, Bart., of North Berwick, born 1652; became a member of the Faculty of Advocates 25 February 1677;[25] Commissary of Edinburgh;[26] Dean of Faculty of Advocates 11 January 1695;[27]

1 Bargany Tree. 2 Edin. Reg. 3 Funeral Entry Lyon Office. 4 Edin. Reg. 5 *Ibid.* 6 *Reg. of Sasines, Inverness.* 7 Tombstone at St. Gilbert's Cathedral, Dornoch. 8 Edin. Reg. 9 Oxenfoord Papers. 10 Greyfriars Burial Register, Scottish Record Society. 11 Edin. Reg. 12 *Scots Mag.* 13 Edin. Tests. 14 Edin. Reg. 15 Edin. Tests. 16 *Ibid.* 17 Edin. Reg. 18 *Ibid.* 19 *Ibid.* 20 *Ibid.* 21 *Ibid.* 22 *Ibid.* 23 *Ibid.* 24 Edin. Tests. 25 Books of Sederunt. 26 *Dict. Nat. Biog.* 27 Books of Sederunt.

created a Baronet 29 April 1698, with remainder to heirs-male of his body, and their heirs-male for ever;[1] Commissioner for the Articles of Union between England and Scotland 1702 and 1703; M.P. for New Galloway 1696-1702, North Berwick 1702-1707;[2] Lord President of the Court of Session 1698. He died on Tuesday, 1 February 1737, in the eighty-fifth year of his age,[3] and was buried at North Berwick.[4] He married, first, 12 March 1682, Marion, daughter of Sir Robert Hamilton of Presmennan, a Senator of the College of Justice,[5] and by her had issue:—

(1) *James*, born 18 September 1684,[6] and died young.

(2) *Sir Robert Dalrymple* of Castleton, Knight; admitted a member of the Faculty of Advocates 18 February 1714.[7] He died at Tongue, the seat of Lord Reay, 31 August 1734.[8] He married, first, 20 March 1707,[9] Joanna Hamilton, only child of John, Master of Bargany, eldest son of second Lord Bargany, and by her, who died 1719,[10] had issue:—

i. *Sir Hew Dalrymple*, second Baronet, born 12 March 1712;[11] Advocate 1730, King's Remembrancer 1768, M.P. for Haddington Burghs 1741-47 and 1761-68, for County of Haddington 1747-61. Died 30 November 1790.[12] He married, first (contract 5 July 1743[13]), Margaret, daughter of Peter Sainthill, surgeon, Garlickhill. She died 31 December 1747.[14] They had issue:—

(i) *Robert Stair*, born 2 July 1744;[15] a captain in the 11th Regiment of Dragoons. He died at Manchester 11 September 1768.[16]

(ii) *Peter*, born 1745; baptized 2 October;[17] died young.

(iii) *Sir Hew Hamilton Dalrymple*, third Baronet, born 26 October 1746;[18] M.P. for Haddingtonshire 1780-86.[19] Died at Bargany, Ayrshire, to which estate he had succeeded through his uncle John, 13 February 1800.[20] He married, at Sundrum, in Ayrshire, 26 October 1770,[21] Janet, born 27 October 1746,[22] daughter of William Duff of Crombie, by Elizabeth Dalrymple (see p. 131), and by her, who died at North Berwick 31 March 1819,[23] had issue:—

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[1] *Reg. Mag. Sig.* [2] *Members of Parliament for Scotland*, Foster. [3] *Edinburgh Evening Courant.* [4] *Ibid.* [5] Edin. Reg. [6] *Ibid.* [7] Books of Sederunt. [8] *Caledonian Mercury.* [9] Edin. Reg. [10] Bargany MSS. [11] Bible at Bargany. [12] *Scots Mag.* [13] Bargany Papers. [14] *Ayrshire Families.* [15] *Scots Mag.* [16] *Ibid.* [17] North Berwick Reg. [18] *Ibid.* [19] *Members of Parliament for Scotland*, Foster. [20] Dailly Reg. [21] Bible at Bargany. [22] Ayr Reg. [23] *Gentleman's Mag.*

a. Hew, born at Ayr 19 May 1772; died young.

b. Sir Hew Dalrymple Hamilton, fourth Baronet, born at North Berwick 3 January 1774;[1] served in the Grenadier Guards, and in 1803 was a lieutenant-colonel in the Ayrshire Militia;[2] M.P. for Haddingtonshire 1795 to 1800; Ayrshire, 1803-6; Haddington Burghs 1820-26.[3] He died at Bargany 23 February 1834,[4] and was buried 3 March, at Old Dailly, Ayrshire.[5] He married, at London, 19 May 1800,[6] Jane, born 30 March 1779,[7] eldest daughter of Adam, first Viscount Duncan of Camperdown, and by her, who died in Paris 7 March 1852, and was buried at Old Dailly,[8] had issue:—

(*a*) *Henrietta Dundas*, born in Edinburgh 8 November 1801;[9] married, 15 June 1822,[10] to Augustin Louis Joseph Casimir Gustave de Franquetot, third Duc de Coigny, in the Peerage of France; a general in the French Army. He died 2 May 1865, and she died 19 December 1869. They are both buried at Montmartre Cemetery, Paris.[11] They had issue:—

a. Louis Robert Henri François, born 22 April; died 16 May 1836.[12]

β. Louisa Jane Henrietta Emily, born in Edinburgh 1 March 1824;[13] married, at Bargany, 9 December 1846, to John Hamilton Dalrymple, tenth Earl of Stair, K.T., and had issue —of them later.

γ. Georgine Elizabeth Fanny, born 4 August 1826;[14] died 28 July 1910; married, 15 June 1852, to Sydney, third Earl Manvers, who died 16 January 1900, and had issue.

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1 Bible at Bargany. 2 Bargany Papers. 3 *Members of Parliament for Scotland*, Foster. 4 Diary of Sir John Dalrymple at Oxenfoord. 5 M. I., Old Dailly. 6 *Scots Mag.* 7 M. I., Old Dailly. 8 *Ibid.* 9 North Berwick Reg. 10 *Scots Mag.* 11 M. I., Montmartre Cemetery. 12 M. I., Chapel Château de Coigny. 13 *Blackwood's Mag.* 14 Bible at Bargany.

δ. *Evelyn*, born 14 April 1838; died 10 January 1857, and is buried at Montmartre.[1]

ε. *Marie*, born 11 July 1839; died 23 August 1858, and is buried at Montmartre.[2]

c. *Robert*, born at North Berwick 23 September 1775.[3]

d. *William*, born 26 April 1778.[4]

e. *Sir John Dalrymple*, of North Berwick, fifth Baronet, born 2 December 1780;[5] served in the Army, and became a major-general; M.P. for Haddington Burghs 1805-6;[6] succeeded his brother as fifth Baronet 1834; and died at Bruntsfield House, Edinburgh, 26 May 1835,[7] and was buried, 3 June, at North Berwick.[8] He married, 31 July 1806,[9] Charlotte, daughter of Sir Peter Warrender, Bart. of Lochend, and by her, who died 14 April 1871, and was buried at North Berwick, had issue:—

(a) *Sir Hew Dalrymple*, sixth Baronet of North Berwick, born in the island of Mauritius 26 November 1814;[10] served in the Army in the 71st Foot. He died 27 April 1887, and was buried at North Berwick. He married, 27 July 1852, Frances Elizabeth, only daughter of Robert Arkwright of Sutton Scarsdale, but had no issue. She died 28 February 1894.

(b) *Sir John Warrender Dalrymple*, seventh Baronet of North Berwick, born 28 May 1824;[11] was in Bengal Civil Service; succeeded his brother Hew as seventh Baronet, 1887; and, dying 28 December 1888, was buried at North Berwick. He married, 7 June 1847,[12] Sophia, younger daughter of James Pattle, B.C.S., and by her, who survived him, had issue:—

a. *Hew*, born 21 April 1848; died January 1868.

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[1] M. I., Montmartre. [2] *Ibid.* [3] Bible at Bargany. [4] North Berwick Reg. [5] *Ibid.* [6] *Members of Parliament for Scotland*, Foster. [7] *Annual Register.* [8] North Berwick Reg. [9] *Ibid.* [10] *Ibid.* [11] *Ibid.* [12] *Annual Register.*

β. *Sir Walter Hamilton Dalrymple*, eighth Baronet, of North Berwick, born 6 January 1854; married, 7 November 1882, Alice Mary, daughter of Major-General the Hon. Sir Henry Clifford, K.C.M.G., C.B., V.C., and has issue:—

(a) *Hew Clifford*, born 11 August 1888.
(β) *John*, born 24 October 1889.
(γ) *Agnes Mary*, born 6 July 1884.
(δ) *Marjorie*, born 19 December 1885.
(ε) *Sybil*, born 21 March 1887.

γ. *Virginia Julian*, born 15 June 1850; married, 12 September 1876, to Francis Henry Champneys, M.D., and has issue.

(c) *Helen Jane*, born at Lochend 17 September 1807;[1] married, 14 February 1833, to Alexander M'Lean, Esq., of Ardgour, and had issue. He died 28 November 1872, and she died 4 January 1882, and was buried at Ardgour.
(d) *Georgina Hacking*, born 23 January 1810;[2] married, at St. George's Cathedral, Madras, 1831, to Lieutenant-General Sir W. H. Sewell, K.C.B., and died at Richmond 1 May 1872; was buried at Florence. Her husband died at Florence 13 March 1862, and was buried there.
(e) *Charlotte Sophia*, born 9 December 1816;[3] married, 15 December 1836, to Major-General John Clark, K.H., who died 22 March 1865. She died 1864.
(f) *Janet Jemima*, born 4 September 1818;[4] married, 29 April 1847, to the Rev. James George Fussell,

[1] *Scots Mag.* [2] North Berwick Reg. [3] *Ibid.* [4] *Ibid.*

M.A., who died 1883, and had issue.

(*g*) *Patricia*, born 18 June 1826.[1]

f. James, born 4 March 1782;[2] commander of an East Indiaman. He was drowned in the loss of the *Cabalva*, 1818, off the island of Cargados. He remained with the ship till the last, and then, with twelve men, got into a small boat, which unfortunately upset, and all perished.[3] He married, at Edinburgh, May 1815, Mary, third daughter of Sir James Naesmyth, Bart., of Posso, and had issue. She was married, secondly, 20 March 1821, to Fitzherbert Macqueen, Esq.[4]

g. Peter, born 19 February 1786.[5]

h. Robert Stair, born 28 September 1789;[6] commander of Hon. East India Company's ship *Vansittart*; he died January 1820.[7]

i. Elizabeth Warrender, born 12 December 1776.[8]

j. Margaret Martha, born 24 August 1779;[9] died 3 October 1849. Married, at North Berwick, 12 July 1809,[10] to Captain W. F. Brown, 6th Regiment of Dragoons. He was buried at North Berwick.

k. Janet, born 19 May 1783;[11] died 17 May 1867. Married, 8 January 1805,[12] to Robert, second Viscount Duncan and first Earl of Camperdown, and had issue. He died 22 December 1859.

l. Anne, born 1 August 1784;[13] died 22 June 1820.[14] Married (proclamation 6 June 1819[15]) to Alexander Oswald, advocate, who died 12 April 1821.

Sir Hew Dalrymple, second Baronet, married, secondly, at London, 17 August 1756, Martha, daughter of Charles Edwin, Barrister-at-law, but without issue. She died at London 12, and was buried 18, September 1782, at Islesworth.

ii. *John*, born 4 February 1715;[16] died *s.p.* 12 February 1796.[17] He took the name and arms of Hamilton of Bargany on succeeding to that estate through his

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[1] North Berwick Reg. [2] *Ibid.* [3] Lady Dalrymple Hamilton's Diary. [4] *Scots Mag.* [5] North Berwick Reg. [6] *Ibid.* [7] Lady Dalrymple Hamilton's Diary. [8] North Berwick Reg. [9] *Ibid.* [10] *Scots Mag.* [11] Bible at Bargany. [12] North Berwick Reg. [13] *Ibid.* [14] Lady Dalrymple Hamilton's Diary. [15] North Berwick Reg. [16] Bible at Bargany. [17] Dailly Reg.

mother (*see that title*). He was admitted advocate 19 February 1735;[1] M.P. for Wigtown Burghs 1754 to 1761, for Wigtownshire 1761-2, and again for the Wigtown Burghs 1762-8.[2] He married, first (contract 25 April 1746[3]), Lady Anne Wemyss, third daughter of the fourth Earl of Wemyss; and, secondly (contract 4 July 1769[4]), Margaret, daughter of Alexander Montgomery of Coylsfield, and sister of the twelfth Earl of Eglinton. She died at Trochraig, 25 October 1798.[5] He had no issue by either marriage.

iii. *Robert*, born 30 July 1716;[6] doctor in London, died 1745. He married, 22 July 1745,[7] Jean Barclay, daughter and heiress of Sir Alexander Barclay of Towey Barclay. She died abroad 1746.[8] They had issue a son, who died an infant.

iv. *James*, born December 1717;[9] died young.

v. *Marion*, born 6 March 1708;[10] died December 1740; married (contract 23 August 1732[11]) to Donald (Mackay), fourth Lord Reay, and had issue.

vi. *Jean*, born 1 June 1709;[12] died three years thereafter.[13]

vii. *Elizabeth*, born 3 May 1713;[14] died at Ayr, 24 April 1781,[15] having married William Duff of Crombie, Sheriff Depute of co. Ayr, who died 8 January 1781.[16] They had issue. (See *ante*, p. 126.)

Sir Robert Dalrymple of Castleton, Knight, married, secondly, in June 1725, Anne, eldest daughter of Sir William Cunninghame of Caprington, Bart.,[17] and by her, who was born 13 October 1704, and died 23 January 1776,[18] had issue.

viii. *William*, merchant in Cadiz, died at Blackheath 2 March 1782.[19]

ix. *James*, born 10 November 1731;[20] a captain of Dragoons; married, 10 December 1761,[21] Cordelia, only daughter and heiress of John Appsley of Appsley, in Sussex,[22] with issue.

x. *Charles*, married, first, at London, 29 September 1758,[23] Elizabeth, only daughter and heiress of John Edwin, and by her had one daughter, *Elizabeth*, who was married, 1 June 1780,[24] to sixth Earl of Balcarres, and had issue. He married, secondly, at Sevenoaks, 23 December 1769,[25] Margaret, daughter of John Douglas of St. Christopher's, widow of Colonel Campbell Dalrymple (see p. 137), but without issue. Charles died 14 April 1799, and she died three days after.[26]

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[1] Books of Sederunt. [2] *Members of Parliament for Scotland*, Foster. [3] *Memorials of the Family of Wemyss*, by Sir W. Fraser. [4] *Memorials of the Montgomeries*, by Sir W. Fraser. [5] *Caledonian Mercury.* [6] Bible at Bargany. [7] *Scots Mag.* [8] Edin. Tests. [9] Bible at Bargany. [10] *Ibid.* [11] *Laing Charters.* [12] Edin. Reg. [13] Bible at Bargany. [14] *Ibid.* [15] M. I., Ayr. [16] *Ibid.* [17] *Curiosities of a Scots Charter-Chest*, 78. [18] *Scots Mag.* [19] *Ibid.* [20] Edin. Reg. [21] *Scots Mag.* [22] Family Tree at Bargany. [23] *Scots Mag.* [24] *Ibid.* [25] *Ibid.* [26] *Caledonian Mercury.*

xi. *Stair*, settled in East Indies, where he died, unmarried, 1756.[1]

xii. *Janet*, born 27 February 1726;[2] died young.

xiii. *Anne*, born 14 December 1727;[3] died 29 November 1820;[4] married, at Balcarres, 13 October 1749,[5] James, fifth Earl of Balcarres, and had issue.

(3) *Hew*, of Drummore, baptized 30 November 1690;[6] admitted a member of the Faculty of Advocates 21 November 1710;[7] appointed a Lord of Session, 29 December 1726, and of Justiciary, 13 June 1745.[8] He is described as having been an acute and sound lawyer, and possessed of a ready and forcible, though not a polished elocution.[9] He died at Drummore, East Lothian, 18 June 1755, and was buried, 24 June, at North Berwick.[10] He married, 26 February 1711,[11] Anne, daughter and heiress of John Horn of Horn, advocate, and by her, who died 13 February 1731,[12] had issue:—

i. *John*, born 4 December 1714;[13] admitted advocate 10 July 1735,[14] and died, unmarried, at Naples, 3 May 1737.

ii. *Hew*, born 28 December 1716;[15] died 26 July 1746;[16] married (contract dated 9 and 20 November 1742[17]) Ann, fifth daughter of Sir John Inglis of Cramond, second Baronet. They had no issue, and she died at Edinburgh, 2 October 1756.[18]

iii. *Robert*, of Horn and Logie Elphinstone, born 1 March 1718;[19] a lieut.-general in the Army; colonel of the 53rd Regiment of Foot; died 20, and was buried 24 April, 1794,[20] at Restalrig.[21] He assumed the name of Horn on succeeding to the estates of that name on the death of his grandfather. He married, 9 July 1754,[22] Mary, daughter and heiress of Sir James Elphinstone, Bart., of Logie Elphinstone, and assumed the additional name of Elphinstone, and by her, who died 3 March 1774, at Balmerinoch House, Leith, and was buried in the vault at Restalrig, 6 March 1774,[23] had issue:—

(i) *James*, born 24 March 1762;[24] died 21 April 1798, on his passage home from Lisbon.[25] He married, 28 March 1790, Margaret, only child and heiress of James Davidson of Midmar, co. Aberdeen, but by her, who died 1841,[26] had no issue.

(ii) *Hew*, born 4 October 1759;[27] died young.

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[1] Family Tree at Bargany. [2] Edin. Reg. [3] *Ibid.* [4] *Lives of the Lindsays*, ii. 378. [5] Kilconquhar Reg. [6] Edin. Reg. [7] Books of Sederunt. [8] *Senators of the College of Justice.* [9] Tytler's *Life of Lord Kames*, i. 36. [10] *Scots Mag.* [11] North Berwick Reg. [12] *Caledonian Mercury.* [13] Edin. Reg. [14] Books of Sederunt. [15] Edin. Reg. [16] *Scots Mag.* [17] Private Act 51 George III., cap. 63, *re* Entail of Estate of Logie, and *Caledonian Mercury*, 22 November 1742. [18] *Ibid.* [19] Edin. Reg. [20] *Scots Mag.* [21] Restalrig Burial Reg. [22] Logie Bible. [23] Restalrig Burial Reg. [24] Burke. [25] M. I., Logie Durno. [26] *Ibid.* [27] Logie Bible.

(iii) *Robert*, born 27 February 1766;[1] served in the Army; cornet in 21st Regiment of Light Dragoons 13 March 1782,[2] and in the 3rd Regiment of Foot Guards 9 August 1782;[3] lieut.-colonel Scots Fusilier Guards; created a Baronet 16 January 1828;[4] he died at Logie Elphinstone 11 October 1848, and was buried at Logie.[5] Sir Robert married, 21 May 1800,[6] Graeme, daughter of Lieut.-Colonel David Hepburn, and by her, who was born 10 May 1782,[7] and died at Logie 28 January 1870, and is buried there, had issue:[8]—

a. Robert, born 22 September 1802;[9] died 1819.

b. David Riccart, born 14 February 1804;[10] died 1841.

c. Sir James, second Baronet, born 20 November 1805;[11] M.P. for Portsmouth; one of the Junior Lords of the Treasury 1874-80; died 26 December 1886, and was buried at Logie.[12] He married, 27 April 1836, Mary, fourth daughter of Lieut.-General Sir John Heron Maxwell, Bart., of Springkell, and by her, who died 16 November 1876 and was buried at Logie,[13] had issue:—

(*a*) *Robert*, born 17 October 1837; died 10 March 1839.[14]

(*b*) *John Maxwell*, commander, Royal Navy, born 30 March 1839; died 7 July 1873.

(*c*) *Robert*, who succeeded as third Baronet 1886, born 12 September 1841; served in the Army in the 60th Rifles; died, without issue, 11 February 1887, having married, 17 November 1875, Nina, only child of John Balfour, London.

(*d*) *Graeme*, twin with Robert, who succeeded as fourth Baronet, born 12 September 1841; died, in the Straits Settlements, May 1900. He married, 5 January 1875, Margaret Anne Alice, daughter of James Ogilvie Fairlie of Coodham, and by her had issue two daughters.

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1 South Leith Reg. 2 Logie Papers. 3 *Ibid.* 4 *Ibid.* 5 M. I., Logie. 6 *Edin. Mag.* 7 Aberlady Reg. 8 M. I., Logie. 9 Chapel of Garioch Reg. 10 Logie Bible. 11 Chapel of Garioch Reg. 12 M. I., Logie Durno. 13 *Ibid.* 14 *Ibid.*

(*e*) *James Edward*, born 3 April 1849; died 5 May 1850.[1]

(*f*) *Mary Heron*, born 5 April 1846; died 23 March 1850.[2]

(*g*) *Margaret Burnett*, born 17 July 1847; married, 11 September 1873, to the Rev. John Maturin Warren, M.A., Rector of Bawdrip, Somerset, and has issue.

d. Hew Drummond, born 29 July 1807; died 28 April 1893. He married, 6 November 1838, Helenora Catherine, youngest daughter of Sir John Heron Maxwell, Bart., and by her, who died 2 November 1889, had issue:—

(*a*) *Sir Robert*, who succeeded as fifth Baronet in 1900, born 17 January 1844; colonel Indian Staff Corps. Married, 27 April 1871, Flora Loudoun, daughter of James Macleod of Rasay branch of Macleod. Sir Robert died 16 April 1908, leaving with other issue:—

a. Sir Edward Arthur, sixth Baronet, captain 117th Mahrattas, Indian Infantry Regiment; born 3 October 1877. Married, 3 September 1909, at St. Andrew's Church, Dublin, Jane Muriel, elder daughter of John Gibbons Hawkes, Bank House, Dunlavin, co. Wicklow.[3]

e. Francis Anstruther, born 18 August 1813;[4] died 5 July 1885. Was in Bengal Civil Service; married Mary Anne (third daughter of Major-General Bowen, C.B.), who died 1904, leaving issue.

f. Stair, born 29 May 1815;[5] died, on his passage home from Bombay, 7 July 1840.[6]

g. Charles, born 23 March 1817;[7] died July 1891, and was buried at Logie. He married, first, at Ellon, 12 September 1849,[8] Harriet Albinia Louisa, eldest

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[1] M. I., Logie Durno. [2] *Ibid.* [3] *Irish Times*, Dublin, 9 September 1909. [4] Chapel of Garioch Reg. [5] Logie Bible. [6] *Annual Register.* [7] Chapel of Garioch Reg. [8] *Annual Register.*

daughter of Alexander Gordon, of Ellon, Aberdeen, and by her, who died 13 February 1854, and was buried at Logie, had issue:—

(*a*) *William Robert*, who died *v. p.* 7 December 1890.

Charles Elphinstone married, secondly, 24 April 1860, Christian, eldest daughter of William Gordon Cuming Skene of Pitlurg, Aberdeenshire, and had issue:—

(*b*) *Anne Alexandrina*, born 27 June 1861.

h. John Hamilton, born 6 January 1819;[1] died 28 June 1888, buried at Chailey, Sussex. Ensign Scots Fusilier Guards 10 November 1837; lieutenant 31 December 1844; captain 25 March 1853; served in the Crimea. Commanded the second battalion of his regiment in the New Brunswick expedition 1861-62; lieutenant-colonel 10 July 1863, major-general 28 October 1866, lieutenant-general 23 September 1874; colonel 108th (Madras Infantry) Regiment 29 November 1875; C.B. 2 June 1877, general 1 October 1877; colonel of the first Battalion of 71st Regiment (Highland Light Infantry) 28 January 1880. Married, 23 April 1851, Georgina Anne, eldest daughter of William Brigstock, M.P., of Birdcombe Court, and widow of F. Garden Campbell of Troup and Glenlyon. She died 15 April 1887, and was buried at Chailey. They had no issue.

i. Ernest George Beck, born 27 August 1820;[2] died 4 November 1844.[3]

j. George Augustus Frederick, born 6 May 1826; died 22 January 1876.

k. Elizabeth Magdalene, born 10 May 1801;[4] died 1831.

l. Mary Frances, born 19 December 1808;[5] died at Ayr 15 September 1880, and was buried at Dundonald. She was married, 17 August 1830,[6] to Patrick Boyle, advocate, afterwards of Shewalton, who died 4 September 1874, son of the Right Honble. David Boyle, Lord Justice-General, and had issue.

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[1] Inveresk Reg. [2] Logie Bible. [3] Lodge. [4] Logie Bible. [5] Chapel of Garioch Reg. [6] *Ibid.*

m. Ann Græme, born 9 June 1810,[1] buried at Restalrig 27 June 1823.[2]

n. Louisa Sarah, born 9 February 1812;[3] died 24 November 1835.[4]

o. Henrietta Marion, born 21 October 1824;[5] died 23 February 1903, and was buried at Logie. She was married, 29 April 1857, to Thomas Coats Leslie, of Warthill family, who died 18 April 1862.[6]

(iv) *Jean*, born 11 September 1757;[7] married to Captain Alexander Davidson of Newton, and had issue.

(v) *Ann*, born 7 October 1758.[8]

(vi) *Mary*, born 13 February 1761;[9] died 3 July 1812. She was married to Ernest Gordon of Park, who died 5 October 1800. They had issue.

(vii) *Marion*, born 23 May 1763;[10] died 23 October 1824.[11] She was married, 21 November 1785, to James Mansfield of Midmar, banker in Edinburgh.[12] He died at Midmar 17 December 1823.[13] They had issue.

(viii) *Margaret*, born 1 September 1764;[14] died 18 March 1849;[15] married, at Logie Elphinstone, 16 September 1788, to Sir Robert Burnett of Leys, Baronet.[16] He was born 1755, and died 3 January 1837. They had issue.

(ix) *Eleonora*, born 26 August 1768;[17] died 5 December 1835. Married at Edinburgh, 21 or 22 October 1790,[18] to William Wemyss of Cuttlehill, co. Fife. They had issue.

(x) *Elizabeth*, born 19 October 1773;[19] died August 1838. Married, at Edinburgh, 5 June 1803, to George Leith of Overhall, who died 1815.

iv. *David*, born 27 August 1719;[20] admitted advocate 8 January 1743;[21] appointed Sheriff-Depute of Aberdeen in 1748.[22] He was raised to the Bench and became a Lord of Session, with the title of Lord Westhall, 10 July 1777.[23] He died 26 April 1784,[24] having married at Edinburgh, 21 March 1761, Jean, daughter of Alexander Aberdein of Cairnbulg,[25] and by her, who died at Edinburgh, 23 April 1780,[26] had issue:—

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[1] Logie Bible. [2] Restalrig Burial Reg. [3] Chapel of Garioch Reg. [4] Newhailes Papers. [5] Logie Bible. [6] M. I., Rayne. [7] Logie Bible. [8] *Ibid.* [9] *Ibid.* [10] *Ibid.* [11] *Blackwood's Mag.* [12] *Caledonian Mercury.* [13] *Scots Mag.* [14] Logie Bible. [15] *Family of Burnet of Leys*, New Spalding Club. [16] *Gentleman's Mag.* [17] Logie Bible. [18] Edin. Reg. [19] Logie Bible. [20] Edin. Reg. [21] Books of Sederunt. [22] *Scots Magazine.* [23] *Senators of the College of Justice.* [24] *Scots Mag.* [25] Family Bible of Lord Westhall. [26] *Scots Mag.*

(i) *Hew*, born 2 March 1762;[1] was a law student.[2] He died at Edinburgh 16 July 1783.[3]

(ii) *Alexander*, born 7 May 1765,[4] and died 29 December 1780.[5]

(iii) *David*, born 24 June 1769,[6] and died 23 March 1770.[7]

(iv) *Robert*, born 10 September 1771; died at Barbadoes 27 May 1808.[8]

(v) *William*, born 26 August 1774; died at Sheerness, on the 4 November 1791, on board the *Iphigenia* frigate.[9]

(vi) *Charles*, born 22 March 1776; was assistant surgeon in the 4th (or Royal Irish) Regiment of Dragoon Guards, ranking in that appointment from 24 November 1803.[10] He died at Warrington 27 April 1807.

(vii) *John*, born 11 November 1778; joined the 40th Foot as junior lieutenant, commission dated 30 April 1792. He seems to have exchanged to the 80th Foot, where he appears as lieutenant, his commission in the regiment dating from 2 April 1794; captain 25 June 1803; major 16 October 1815. He was transferred to the 30th Foot as second major, ranking in that regiment from 25 December 1817, and was promoted to second lieut.-colonel 18 October 1827. He died in 1829, at Madras, his successor's rank dating from 24 September in that year.[11]

(viii) *Jean*, born 12 March 1763;[12] died, at Portobello, 9 December 1831,[13] having been married, at Edinburgh, 13 March 1783,[14] to John Anderson of Winterfield, and had issue.

(ix) *Ann*, born 17 May 1766.[15]

(x) *Marion*, born 15 October 1772; she died 23 August 1802.[16]

v. *Thomas*, born 12 June 1721;[17] died young.[18]

vi. *James*, born 14 March 1724.

vii. *Campbell* of Carriden, born 27 August 1725;[19] lieut.-colonel of the 3rd Regiment of Dragoons 24 April 1755; author of a book on Drill; Governor of Guadeloupe 1760;[20] died 21 April 1767.[21] He married, at East Barnet, Middlesex, 4 September 1753,[22] Margaret, daughter of General John Douglas,[23] and by her, who was married, secondly, 23 December 1769, at Bellevue, near Sevenoaks, to Charles Dalrymple, son of Sir Robert Dalrymple of Castleton, and died 17 April 1799,[24] had issue:—

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[1] Lord Westhall's Bible. [2] Stair Papers, Lochinch. [3] *Scots Mag.* [4] Lord Westhall's Bible. [5] *Ibid.* [6] *Ibid.* [7] *Ibid.* [8] *Ibid.* [9] *Ibid.* [10] Army List. [11] *Ibid.* [12] Lord Westhall's Bible. [13] *Ibid.* [14] North Berwick Reg. [15] Lord Westhall's Bible. [16] *Ibid.* [17] Edin. Reg. [18] Family Tree at Bargany. [19] Edin. Reg. [20] Stair Papers, Lochinch. [21] *Scots Mag.* [22] *Ibid.* [23] Bargany Papers. [24] *Caledonian Mercury.*

(i) *James*, born at Sherburne 16 May 1754;[1] a captain in the Army; died June 1831.[2] He married, at Petersburg, 27 February 1796, Anne, daughter of Sir Charles Gascoigne, and widow of Thomas, seventh Earl of Haddington, but without issue. She died 21 June 1840.[3]

(ii) *George*, born at Brecknol 13 November 1757;[4] ensign in the 42nd Highlanders 1773; colonel in the Army; died at North Berwick 19 January 1804.[5] Married, at Mount Denison, in Nova Scotia, 1785,[6] Martha Willet Miller, and by her, who died at North Berwick 26 January 1855, had issue:—

a. *Alexander Duncan*, born 8 June 1789;[7] an officer in the Army.

b. *William Henry Clarence*, captain in the East India Company's Service. He died 2 September 1838, having married, in 1830, Margaret, born in 1813,[8] daughter of Lieut.-Colonel Oswald Werge, and by her, who died in 1885, had issue:—

(*a*) *Mary Martha*, born 14 October 1835; married, 1 March 1855, to Thomas Eustace Smith.

(*b*) *Ellen Arbuthnot*, born 8 June 1838; died 1904, having been married, 21 October 1857, to Captain Edward Jackson Bruce, R.A., and had issue.

c. *Margaret*, married, first, 16 February 1806,[9] to Captain Burn, R.N., and secondly, to James Wardrop, M.D., and had issue.

d. *Martha Willet*, born 3 May 1790;[10] married, 1831, as his second wife, to North Dalrymple, afterwards ninth Earl of Stair, and had issue. (See p. 160.)

e. *Charlotte Douglas*, proclaimed 23 February;[11] married, 22 March 1841,[12] to William Gordon, of Campbeltown, Parish of Tongland, Kirkcudbright.

f. *Mary Minchin*, married, 13 March 1832,[13] to Captain Henry Bruce, R.N., son of Sir Henry Bruce of Downhill, co. Londonderry, and had issue. She died at Rockville 7 January 1834.[14]

(iii) *Hew*, born at St. Andrews 19 June 1760;[15] major in the Army; served in the 49th

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[1] Bargany Papers. [2] Lodge. [3] *Gentleman's Mag.* [4] Bargany Papers. [5] *Gentleman's Mag.* [6] *Monthly Chronicle* for year 1786. [7] North Berwick Reg. [8] Information given me by J. C. Wardrop. [9] North Berwick Reg. [10] *Ibid.* [11] *Ibid.* [12] *Scots Mag.* [13] North Berwick Reg. [14] M. I., North Berwick Churchyard. [15] Paper at Bargany.

Regiment; A.D.C. to the Lord-Lieutenant of Ireland. He married Marianne, only child of James Straker, barrister-at-law, and had issue:—

a. *Campbell James*, Commissioner for the suppression of the slave-trade at the Havana; died 17 July 1847; married Rosina, third daughter of John Walton, and had issue:—

(*a*) *James Pilgrim*, lieut.-colonel, died at the Havana 17 July 1847.
(*b*) *John Henry Manners Rutland.*
(*c*) *Harriet Fane.*
(*d*) *Elizabeth Rosina*, married to J. D. Cral.
(*e*) *Anne Walton.*

b. *Hew Manners*, served in the Army in the 1st Foot; was killed in Spain. He married, at Tobago, August 1828,[1] Agnes Macrae, only daughter of George Elliot, of His Majesty's Commissariot Department, and had issue.
c. *George Haddington*, served in the Army in the 1st Royals, and was appointed paymaster of the 91st Regiment in 1840. He died at the Piræus May 1856.[2]
d. *Margaret*, married to —— M'Alpin.
e. *Elizabeth Pilgrim*, married to Captain Colin Buchanan, 62nd Foot.

(iv) *Margaret*, born at Chichester; married, at Leith, 7 January 1781,[3] to Alexander Duncan of St. Fort, formerly a captain in the service of the East India Company.

viii. *Anne*, born 6 June 1712;[4] died young.[5]
ix. *Marion*, born 23 November 1713;[6] died 28 December 1779; married, 29 March 1732, to Archibald Hamilton of Dalzell. He died 28 December 1774.[7] They had issue.
x. *Elizabeth*, born 28 September 1722;[8] died 1742;[9] married (contract dated 4 November 1737[10]) to George Broun of Colstoun, a Lord of Session, who died 6 November 1776,[11] and had issue.
xi. *Anne*, born 27 January 1727;[12] died young.[13]
xii. *Eleanora Jean*, born 17 May 1729;[14] died 12 February

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1 *Blackwood's Mag.* 2 *Mercury* Newspaper. 3 *Caledonian Mercury.* 4 Edin. Reg. 5 Family Tree at Bargany. 6 Edin. Reg. 7 Family Tree at Bargany. 8 Edin. Reg. 9 Stair Papers at Oxenfoord. 10 Colstoun Writs. 11 *Scots Mag.* 12 Edin. Reg. 13 Family Tree at Bargany. 14 Edin. Reg.

1782;[1] married, at Leith, 29 October 1763,[2] to James Rannie, wine merchant, without issue.

(4) *John*, born 17 April 1692;[3] served in the Army, and was a captain in the Enniskillen Regiment of Dragoons; died at Ayr 19 April 1753,[4] and was buried in Ayr Old Churchyard.[5] He married, first, Jean, daughter of Sir John Whitefoord, Bart. She died *s.p.* 1743.[6] He married, secondly, Mary, daughter of Alexander Ross of Balkail, in Wigtownshire, and by her, who married, secondly, Sir James A. Oughton, K.B., had issue:—

i. *Hew Whitefoord* of High Mark, Wigtownshire, born at Ayr 22 November 1750;[7] served in the Army; lieutenant 1766; major 77th Regiment, 1777;[8] knighted 5 May 1779,[9] when he was proxy for his stepfather at the Installation of Knights of the Bath; colonel 1790; Lieutenant-Governor of Guernsey 1796-1801; Commander of the Gibraltar Garrison 1806-8; signed the Convention of Cintra 1808; general 1812; created a Baronet 1815;[10] and Governor of Blackness Castle 1818.[11] He died 9 April 1830, and was buried at Aldenham, Herts,[12] having married, 16 May 1783,[13] Frances, youngest daughter and coheir of General Francis Leighton, and by her, who died 16 February 1835, and was buried at Aldenham, Herts,[14] had issue:—

(i) *Adolphus John*, second Baronet of High Mark, born 3 February 1784; died at Delrow House, Hertfordshire, 3 March 1866;[15] served in the Army, and became lieut.-general in November 1851; general in the Army 1860; A.D.C. to the King; was M.P. for Weymouth 1817; for Appleby 1819 and 1820;[16] and was returned for Brighton in 1837. He married, 23 December 1812,[17] Anne, daughter of the Right Hon. Sir James Graham, Bart., of Kirkstall. She died *s.p.* 10 May 1858.[18]

(ii) *Leighton Cathcart*, born 3 May 1785; died at Delrow House, Herts, 6 June 1820.[19] He served in the Army; lieut.-colonel of the 15th Hussars, at the head of which regiment he distinguished himself at the Battle of Waterloo, having three horses killed under him, and after receiving two contusions, towards the close of the day his left leg was carried off by a cannon ball; C.B. He was buried at Aldenham.[20]

(iii) *Charlotte Elizabeth*, born 24 July 1787; died

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[1] *Caledonian Mercury.* [2] *Scots Mag.* [3] Edin. Reg. [4] *Scots Mag.* [5] M. I., Ayr. [6] *Scots Mag.* [7] Ayr Reg. [8] *Dict. Nat. Biog.* [9] *The Knights of England*, ii. [10] *Annual Register.* [11] *Dict. of Nat. Biog.* [12] M. I., Aldenham. [13] *Scots Mag.* [14] M. I., Aldenham. [15] *Ibid.* [16] *Members of Parliament for Scotland*, Foster. [17] *Gentleman's Mag.* [18] M. I., Aldenham. [19] *Ibid.* [20] *Ibid.*

9 July 1830.[1] She was married, as his second wife, 15 December 1816,[2] to Vice-Admiral Sir John Chambers White, K.C.B., who died 4 April 1845—they are both buried at Aldenham[3] —and had issue.

(iv) *Frances Mary*, born 3 March 1790; died 16 June 1865.[4] She was married, 15 June 1811,[5] to Lieut.-General Edward Fanshaw, C.B., colonel-commandant Royal Engineers, who died 22 November 1858, and had issue. They are both buried at Aldenham.[6]

(v) *Arabella Boyd*, born 22 July 1792; died 11 April 1828, and was buried at Tetbury.[7] She was married, 1810, to Captain Dacres, R.N.[8]

(5) *William*, born 19 October 1693;[9] a captain in the Army; married Elizabeth, daughter of —— Hamilton.[10] She was murdered in her own house in Cavendish Square, London, 25 March 1746,[11] by her foot-boy, Matthew Henderson.[12]

(6) *Alexander*, born 12 June 1690.[13]

(7) *James* of Nunraw, born 27 January 1698;[14] died 8 November 1766.[15] He married Margaret Cunningham, and by her, who died 10 October 1757,[16] had issue:—

i. *Hew* of Nunraw, born 22 February 1740;[17] died 11 September 1791, and was buried at St. Andrews.[18] He married, first, 1759, Susanna, daughter of Captain Robert Cunningham of Cagan, in the Island of St. Christophers,[19] and by her, who died at Nunraw, 1 February 1762,[20] had issue two sons, who died young.[21]

He married, secondly, Dorothea, daughter of Samuel MacCormick, General Examiner of Excise,[22] and by her, who was born 1750 and died 24 August 1802,[23] had issue:—

(iii) *James*, born 27 April 1769.[24]

(iv) *Kirby*, born 24 May 1770;[25] died at Edinburgh 20 April 1853.[26] Served in the Army, and became a captain in the 74th Regiment.[27] He married, at Madras, 12 August 1805, Ann, daughter of the Rev. Joseph M'Cormick, D.D., Principal of the United Colleges of St. Andrews,[28] and had issue.

(v) *Samuel*, lieut.-colonel Madras Artillery, C.B., born 5 June 1771;[29] died at Madras 12 May 1821.[30] Buried St. George's Cathedral Ceme-

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[1] M. I., Aldenham. [2] *Gentleman's Mag.* [3] M. I., Aldenham. [4] *Ibid.* [5] *Gentleman's Mag.* [6] M. I., Aldenham. [7] Cassan's *History of Hertfordshire.* [8] *Gentleman's Mag.* [9] Edin. Reg. [10] Family Tree at Bargany. [11] *Scots Mag.* [12] *Annals of Newgate.* [13] Edin. Reg. [14] *Ibid.* [15] *Scots Mag.* [16] *Ibid.* [17] Family Tree at Bargany. [18] M. I., St. Andrews. [19] Family Tree at Bargany. [20] *Scots Mag.* [21] Family Tree at Bargany. [22] *Ibid.* [23] M. I., St. Andrews. [24] Family Tree at Bargany. [25] *Ibid.* [26] M. I., North Berwick. [27] Eler's *Memoirs*, 139. [28] Marriages at Fort St. George, Madras, *Genealogist*, vol. xxi. 199. [29] Family Tree at Bargany. [30] M. I., The Mount, Madras.

tery. He married Margaret, daughter of General Kenneth Mackenzie, and had issue four daughters.

(vi) *Hew*, born 4 July 1772;[1] died 11 September 1846.[2] Served in the Army in the 19th Regiment.[3]

(vii) *John Hamilton*, Collector of the Customs at Montego Bay; died, at Jamaica, 7 August 1804.[4]

(viii) *Helena*, born 1768; died 28 August 1836.[5]

(ix) *Margaret*, born 1774; died, at Bath, 2 April 1853, and was buried at Widcombe Cemetery.[6]

(x) *Dorothea*, born 1775; married, 24 February 1794, to William Grant of Congalton,[7] and died 19 May 1814,[8] leaving issue.

(xi) *Elizabeth*, married to Major-General Sir Jeffrey Prendergast, Auditor-General of the Madras Army, and had issue.

(8) *Margaret*, born 8 February 1683;[9] died 8 October 1757;[10] married, at Edinburgh, 15 March 1700,[11] to Sir John Shaw of Greenock, Bart., who died 5 April 1752,[12] and had issue.

(9) *Marion*, born 6 July 1686.[13]

(10) *Anne*, born 27 November 1687;[14] died 1736;[15] married, 9 March 1705, to Sir James Steuart of Goodtrees, first Baronet, Solicitor-General for Scotland,[16] and had issue.

(11) *Elizabeth*, born 3 February 1695;[17] died March 1739;[18] married, at Edinburgh, 12 January 1715, to Sir James Suttie, Bart., of Balgone, co. Haddington.[19] They had issue.

(12) *Eleanor*, baptized 26 June 1700;[20] married, as his first wife, 26 August 1724, to Sir Thomas Hay of Alderston, Bart.[21] He died at Alderston, 26 November 1767.

Sir Hew Dalrymple, Lord President of the Session, married, secondly, at Edinburgh, 6 April 1711,[22] Elizabeth, daughter, and eventually heiress, of John Hamilton of Bangour, and relict of James Hamilton, advocate, of Hedderwick, and by her, who died at Edinburgh 21 March 1742,[23] had issue:—

(13) *Marion*, born 1 May 1712;[24] died 17 January 1735;[25] buried in the Chapel Royal, Holyrood House.[26] She was married, at Edinburgh, 6 July 1727, as his first wife, to Ludovick

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[1] Family Tree at Bargany. [2] M. I., North Berwick. [3] Eler's *Memoirs.* [4] *Scots Mag.* and M. I., St. Andrews. [5] M. I., North Berwick. [6] *Ibid.* [7] *Scots Mag.* [8] North Berwick Reg. [9] Edin. Reg. [10] *Scots Mag.* [11] North Berwick Reg. [12] *Scots Mag.* [13] Edin. Reg. [14] *Ibid.* [15] Coltness Papers. [16] North Berwick Reg. [17] Edin. Reg. [18] *Scots Mag.* [19] North Berwick Reg. [20] Edin. Reg. [21] North Berwick Reg. [22] *Ibid.* [23] *Scots Mag.* [24] Edin. Reg. [25] *Caledonian Mercury.* [26] Reg. of Burials, Chapel Royal, Holyrood House.

Colquhoun of Luss, afterwards Sir Ludovick Grant,[1] and had issue.

(14) *Johanna*, born 21 February 1714.[2]

4. *Thomas*, M.D.; baptized 15 October 1663;[3] First Physician to the King in Scotland; died, unmarried, at Edinburgh 23 July 1725,[4] and was buried in the New Church Aisle, Edinburgh.[5]

5. *Sir David Dalrymple*, Bart., of Hailes, in the county of Haddington; admitted a member of the Faculty of Advocates 3 November 1688;[6] created a Baronet 8 May 1701;[7] Solicitor-General to Queen Anne; M.P. for Culross 1707-8, Haddington Burghs 1708-10, 1710-13, 1713-15, 1715-22;[8] Lord Advocate 1700-11 and 1714-20; and Auditor to the Scotch Exchequer 1720.[9] He died 3 December 1721,[10] and was buried at Morham, in East Lothian.[11] He married, 4 April 1691,[12] Janet, daughter of Sir James Rochead of Inverleith, and widow of Alexander Murray of Melgund, and by her, who was born 25 April 1662, died 26 December 1726,[13] and was buried at Morham, in East Lothian,[14] had issue:—

(1) *Sir James*, second Baronet, born 24 July 1692;[15] died 24 February 1751,[16] and was buried at Morham, East Lothian; M.P. for Haddington Burghs, 1722, 1722-27, 1727-34;[17] Auditor of Exchequer. He married (contract 17 December 1725[18]) Christian Hamilton, youngest daughter of Thomas, sixth Earl of Haddington, and by her, who died 30 June 1770,[19] and was buried at Morham,[20] had issue:—

i. *Sir David*, third Baronet; born 28 October 1726;[21] admitted a member of the Faculty of Advocates 24 February 1748.[22] He was elevated to the Bench, and took his seat 6 March 1766,[23] as Lord Hailes, and was appointed a Lord of Justiciary 3 May 1776.[24] He was a distinguished scholar and antiquary; was the author of many books, one of the best known being his *Annals of Scotland*. Lord Woodhouselee says of

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[1] Cf. vol. vii. 484. [2] Edin. Reg. [3] Ochiltree Reg. [4] *Historical Reg.* [5] Family Tree at Bargany. [6] Books of Sederunt. [7] *Reg. Mag. Sig.* [8] *Members of Parliament for Scotland*, Foster. [9] *Dict. Nat. Biog.* [10] *Historical Reg.* [11] *Statistical Account of Scotland.* [12] Edin Reg. [13] *Historical Reg.* [14] Coffin-plate there. [15] Burke's *Peerage.* [16] *Scots Mag.* [17] *Members of Parliament for Scotland*, Foster. [18] Haddington Charter-chest; *Memorials of Earls of Haddington*, by Sir W. Fraser. [19] *Scots Mag.* [20] Lord Hailes's *Journal.* [21] *Dict. Nat. Biog.* [22] Books of Sederunt. [23] *Senators of the College of Justice.* [24] *Ibid.*

him: 'He was an honour to the station which he filled, and to the age in which he lived.' He died 29 November 1792, and was buried at Morham, East Lothian. Lord Hailes was twice married, first, 12 November 1763,[1] to Anne, daughter of George Broun of Coalstoun, a Lord of Session and Justiciary, and by her, who died at Edinburgh 18 May 1768,[2] had issue an only daughter:—

(i) *Christian*, of Hailes; born 30 December 1765.[3] She died, unmarried, 9 January 1838,[4] and was buried at Morham, East Lothian.[5]

Lord Hailes married, secondly, 20 March 1770,[6] Helen, daughter of Sir James Fergusson of Kilkerran, Bart., a Lord of Session and Justiciary, and by her, who was born in 1741,[7] and died 10 November 1810,[8] had issue:—

(ii) *Jean*, born 1778; died 6 May 1803.[9] Married, at Newhailes, 8 November 1799,[10] to James Fergusson, afterwards Sir James Fergusson, Bart., of Kilkerran, and had issue:—

a. Sir Charles Dalrymple Fergusson, Bart., born 26 August 1800;[11] died 18 March 1849. He married, at Edinburgh, 1 June 1829, Helen, daughter of the Right Hon. David Boyle, Lord Justice-Clerk, and by her, who was born 24 October 1808, and who died at Newhailes 26 June, and was buried at Dailly, co. Ayr, 2 July 1869,[12] had issue:—

(*a*) *Sir James Fergusson*, Bart., of Kilkerran, G.C.S.I., K.C.M.G., born 18 March 1832; died 14 January 1907, having married and had issue.

(*b*) *David*, born 1836; died 1841.

(*c*) *Sir Charles Dalrymple*, Bart., of Newhailes, born 15 October 1839; succeeded to Newhailes on his father's death, 18 March 1849, and assumed the name of Dalrymple in lieu of his own; M.P. for Bute 1868-85, and for Ipswich 1886-1906; Junior Lord of the Treasury 1885-86; served

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[1] *Annual Register.* [2] *Scots Mag.* [3] Miss Dalrymple's Notes at Newhailes. [4] Diary of Sir John Dalrymple, Bart., at Oxenfoord. [5] Information given by Sir Charles Dalrymple, Bart. [6] *Annual Register.* [7] *Clan Fergusson*, 340. [8] *Scots Mag.* [9] *Clan Fergusson.* [10] Miss Dalrymple's Notes at Newhailes. [11] *Ibid.* [12] *The Boyles of Kelburne*, by Colonel Hon. R. Boyle.

for a time in the Ayrshire Militia; created a Baronet 1887; Privy Councillor 1905. He married, 7 April 1874, Alice Mary, second daughter of Sir Edward Hunter Blair, Bart., of Blairquhan, and by her, who died 2 September 1884, and was buried at Inveresk, has issue:—

α. *David Charles Herbert*, lieutenant Royal Navy; born 29 March 1879; married, in London, 3 April 1906, Margaret Anna, fifth daughter of Sir Mark MacTaggart Stewart of Southwick and Ardwell, Baronet.

β. *Christian Elizabeth Louisa*, born 9 July 1875; married to Commander John Saumarez Dumaresq, R.N., 18 September 1907, and has issue.

γ. *Alice Mary*, born 31 August 1884.

ii. *Thomas*, born 7 October 1728.[1]

iii. *James*, born 3 August 1729;[2] died at Inveresk 21 November 1791,[3] and was buried in Inveresk Churchyard.[4] He served in the Army, and was lieutenant-colonel of 1st Battalion 1st Royal Scots; was author also of some poems, which were printed by his brother Alexander in 1796. He married, 28 September 1773, Elizabeth, daughter of Charles St. Clair of Herdmanstoun,[5] who was born 11 January 1738; died, without issue, at Edinburgh 13 November 1811, and was buried at Inveresk.[6]

iv. *Hew*, born 12 September 1731;[7] served in the Royal Navy, and was captain of H.M.S. *Canada*; he died at sea 1779.[8]

v. *Charles*, born 5 September 1732;[9] a student of medicine; he died at Newhailes 12 January 1750.[10]

vi. *John*, born October 1734;[11] died in Edinburgh 8 August 1779,[12] and was buried in the Greyfriars Churchyard there.[13] He was a merchant and Lord Provost of Edinburgh, and married, at Hermiston, 28 June 1774,[14] Ann Young, daughter of Walter Pringle of St. Christophers, and by her had issue:—

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1 Newhailes Papers. 2 *Ibid.* 3 *Scots Mag.* 4 M. I., Inveresk. 5 Family Tree at Bargany. 6 M. I., Inveresk. 7 Newhailes Papers. 8 Miss Dalrymple's Notes. 9 Newhailes Papers. 10 *Scots Mag.* 11 Newhailes Papers. 12 *Scots Mag.* 13 *Epitaphs and Monumental Inscriptions, Greyfriars Churchyard.* 14 *Scots Mag.*

(i) *James*, who became Sir James Dalrymple, fourth Baronet; born 4 January 1777;[1] he succeeded his uncle, Lord Hailes, in the Baronetcy 1792, and was drowned in the wreck of the *Earl Talbot*, October 1800.

(ii) *John Pringle*, born 28 February 1778;[2] died 1829.[3] He was a colonel in the Army, and succeeded his brother as fifth Baronet in 1800. He married, at Freshwater Church, Isle of Wight, 28 December 1807,[4] Mary, second daughter of Edward Rushworth of Farringdon Hill, in the Isle of Wight, by the Hon. Catherine Holmes, daughter of Lord Holmes.[5]

(iii) *Eleonora.*

vii. *Alexander*, born 24 July 1737;[6] died, unmarried, 19 June 1808.[7] He was Hydrographer to the Board of Admiralty, F.R.S., and A.S., and was author of various works.

viii. *Thomas*, born 26 March 1739;[8] died in infancy.

ix. *William*, born 9 April 1740;[9] died at Madras 26 May 1777.[10]

x. *Stair*, born 29 July 1743;[11] died in infancy.

xi. *Helen*, born 26 September 1727;[12] died young.

xii. *Janet*, born July 1730;[13] died, unmarried, 28 August 1784.[14]

xiii. *Margaret*, born 29 September 1733;[15] died an infant.

xiv. *Rachel*, born 6 February 1736;[16] died, unmarried, 1801.

xv. *Magdalen*, born 14 July 1741 or 1742;[17] died, unmarried, at Knaresborough, 6 December 1763.[18]

xvi. *Grizell*, born 1746;[19] died in infancy.

(2) *John*, born 7 August 1694;[20] died young.

(3) *Hew*, admitted a member of the Faculty of Advocates 25 February 1718; succeeded in 1736 to the estates of Melgund and Kynnynmond,[21] and was afterwards designed Hew Dalrymple Murray Kynnynmond. Died 23 December 1741.[22] He married, 10 August 1730,[23] Isabella, second daughter of Hugh Somerville of Invertiel, W.S.,[24] second son of James Somerville of Corehouse, and by her, who survived him and was married, secondly, to Charles Murray, a brother of Sir Alexander Murray of Stanhope,[25] had issue:—

i. *Agnes*, born 11 September 1731;[26] died at Bath 28 December 1778.[27] Married, 15 December 1746, at Edinburgh,[28] to Gilbert Elliot, afterwards the Right. Hon. Sir Gilbert Elliot of Minto, and had issue.

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[1] Edin. Reg. [2] *Ibid.* [3] Sharpe's *Peerage.* [4] *Gentleman's Mag.* [5] *Ibid.* [6] Newhailes Papers. [7] *Scots Mag.* [8] Newhailes Papers. [9] *Ibid.* [10] *Scots Mag.* [11] Newhailes Papers. [12] *Ibid.* [13] *Ibid.* [14] *Caledonian Mercury.* [15] Newhailes Papers. [16] *Ibid.* [17] *Ibid.* [18] *Scots Mag.* [19] Newhailes Papers. [20] Edin. Reg. [21] Index *Service of Heirs in Scotland.* [22] *Scots Mag.* [23] *Caledonian Mercury.* [24] *Border Elliots and Family of Minto.* [25] *Ibid.* [26] Edin. Reg. [27] *Border Elliots and Family of Minto.* [28] *Scots Mag.*

(4) *Magdalen*, born 24 June 1693;[1] died in infancy.
(5) *Margaret*, born 15 July 1695;[2] died in infancy.
(6) *Magdalen*, born 20 September 1696; died young.
(7) *Janet*, born 3 March 1690;[3] died 8 January 1766. Married, first, in March 1715,[4] to Sir John Baird of Newbyth, Bart., who died at Berwick-on-Tweed 30 September 1745;[5] secondly, to General the Honble. James St. Clair of Dysart, M.P., second son of Henry, tenth Lord Sinclair; he died 30 November 1762.[6] She had no issue by either.

6. *Janet*, who was married (contract 29 May 1669[7]) to David Dunbar, son and heir-apparent of Sir David Dunbar of Baldoon, co. Wigtown, Bart. It was on the sad story of this lady that Sir Walter Scott founded his novel *The Bride of Lammermoor.* According to the Rev. Andrew Symson, minister of Kirkinner from 1663 to 1686, who wrote a poem on the subject, she was married 12 August, taken home 24 August, died 12 September, and was buried 30 September 1669.[8] Her husband died in the lifetime of his father, who seems to have died in 1680.
7. *Elizabeth*, baptized 9 October 1653;[9] died 21 March 1733, having been married (contract 12 October 1672[10]) to Alan, seventh Lord Cathcart, who died 19 October 1732. They had issue.
8. *Sarah*, baptized 19 November 1654; married (contract dated 23 October and 17 December 1679[11]) to Charles, Lord Crichton, eldest son of William, second Earl of Dumfries, and had issue.
9. *Margaret*, born 30 January 1659;[12] died before 1698, having been married to Sir David Cunninghame of Milncraig, in the co. of Ayr, Baronet, M.P., and had issue.[13]
10. *Isobel*, baptized 14 August 1666.[14]

II. John Dalrymple, second Viscount of Stair, was born 1648; knighted 1667; admitted a member of the Faculty of Advocates 28 February 1672.[15] He acted as

[1] Edin. Reg. [2] *Ibid.* [3] *Ibid.* [4] Stair Papers. [5] Family Bible at Newbyth. [6] Cf. vol. vii. 589. [7] Charter-chest, St. Mary's Isle. [8] Appendix of Symson's large *Description of Galloway*, printed in 1823. [9] Ochiltree Reg. [10] *Deeds*, Durie, 18 June 1678. [11] Stair Charter-chest. [12] Edin. Reg. [13] Family Tree at Bargany. [14] Ochiltree Reg. [15] Books of Sederunt.

junior counsel for the Earl of Argyll at his trial for treason in 1681. For some years after his father's retirement to Holland in 1682 he was subjected to considerable persecution, and at the close of the year he came into conflict with Graham of Claverhouse, who complained that he had acted in violent obstruction and contempt of his authority, and had exacted merely nominal fines from his own and his father's tenants who had been convicted of having attended conventicles. He was committed by the Privy Council prisoner in the Castle of Edinburgh, and only obtained his liberty in February 1683, after being deprived of his jurisdiction in Glenluce, paying a fine of £500, and making a humble apology.[1] In September of the year following he was again arrested during the night in his own house of Newliston, and his papers seized and examined. No evidence was discovered against him, but as he declined to give any information regarding the late Chancellor, Lord Aberdeen, then under suspicion, he was imprisoned in the Tolbooth of Edinburgh, and was only liberated, 11 December, on giving security for £5000. In December 1685 he went to London, and the following February returned to Edinburgh as King's Advocate,[2] and became Lord Justice-Clerk, as successor to Sir James Foulis of Colinton, in January 1688, and also an ordinary Lord, taking his seat as a judge of the Court of Session on 28 February 1688.[3] He entered heartily into the Revolution, and was a member of the Convention Parliament; M.P. for Stranraer 1689, Convention 1689-90.[4] Sir John again became Lord Advocate 1690, and was one of the three commissioners sent by the Convention to offer the Crown of Scotland to William and Mary in London.[5] In 1691 Sir John Dalrymple, now Master of Stair, became Joint-Secretary of State for Scotland along with Lord Melville, and he accompanied King William on his visit to Holland that year. He was implicated in the massacre of the Macdonalds at Glencoe 1692; and was accused by Parliament of exceeding instructions 1695, and he resigned office that year. He succeeded his father as second Viscount of Stair in November 1695, but did not

[1] *Dict. Nat. Biog.* [2] *Ibid.* [3] *Senators of the College of Justice.* [4] *Members of Parliament for Scotland*, Foster. [5] *Stair Annals*, by Murray Graham.

take his seat in Parliament. He received at the close of the year a remission freeing him from all the consequences of his participation in the slaughter of Glencoe, on the ground that he had no knowledge of, nor accession to, the method of that execution. Notwithstanding this remission, however, a proposal for Stair to take his seat in Parliament in 1698 raised so much opposition that he desisted from carrying out his intention till February 1700. On the accession of Queen Anne he was made a Privy Councillor 1702. He was created EARL OF STAIR, VISCOUNT DALRYMPLE, LORD NEWLISTON, GLENLUCE, AND STRANRAER by Queen Anne, by patent dated 8 April 1703, and read in Parliament 6 July 1704.[1] A great supporter of the Act of Union, he took a leading part in the long debates. On the 7 January 1707 Lord Stair was in the House, and made an extraordinary speech on the debate on the twenty-second article, went home, and was found dead in his bed in the morning.[2] He was buried, 11 January, at Kirkliston.[3] He married (contract 17 and 19 January 1669[4]) Elizabeth, daughter and heiress of Sir James Dundas of Newliston, by Agnes Gray, and by her, who survived him and died at Edinburgh, 25 May 1731,[5] and was buried 31 May, at Kirkliston,[6] had issue:—

1. *James*, born 19 February 1670,[7] was accidentally shot by his brother in April 1682.[8]
2. JOHN, who succeeded as second Earl, of whom later.
3. *James*, born 24 June 1676;[9] died young.
4. *Charles*, baptized 9 September 1677;[10] died young.
5. *William*, baptized 11 October 1678;[11] served in the 3rd Guards (Scots) and became a colonel in the Army; M.P. for Ayrshire 1702-7, and in the first Parliament for Great Britain 1707-8; for Clackmannanshire 1708-10; Wigtown Burghs 1722-27; Wigtownshire and Wigtown Burghs 1734-41.[12] He was made a burgess of Edinburgh 10 September 1708.[13] He died 30 November 1744.[14] He married, 26 February 1698,[15] his cousin

[1] *Acta Parl. Scot.* [2] *Fourth Rep. Hist. MSS. Com.*, Portland MSS. [3] Funeral Entry, Lyon Office. [4] Stair Charter-chest. [5] *Caledonian Mercury.* [6] *Ibid.*, and Funeral Entry at Lyon Office. [7] Edin. Reg. [8] *Hereditary Sheriffs of Galloway*, by Sir A. Agnew, Bart. [9] Edin. Reg. [10] Kirkliston Reg. [11] *Ibid.* [12] *Members of Parliament for Scotland*, Foster. [13] *Laing Charters*, No. 3044. [14] *Scots Mag.* [15] Kirkliston Reg.

Penelope, daughter of Charles Crichton, styled Lord Crichton, second but eldest surviving son of William, second Earl of Dumfries, and Countess of Dumfries in her own right, and by her, who died 6 March 1742 and was buried at Cumnock, Ayrshire,[1] had issue:—

(1) WILLIAM, Earl of Dumfries and Stair: of him later.
(2) *John*, a captain in the Inniskilling Dragoons; M.P. for Wigtown Burghs 1728-34;[2] died, unmarried, at Newliston, West Lothian, 23 February 1742.[3]
(3) JAMES, who succeeded as third Earl of Stair, of him later.
(4) *Charles*, died, unmarried, 1729.[4]
(5) *Hugh*, a cornet in Lord Cadogan's Dragoons; died, unmarried, 24 September 1737,[5] at Castle M'Douall, and was buried at Stoneykirk, Wigtownshire.[6]
(6) *George*, at school at Dunfermline 1729; ensign in Colonel Handysyd's Regiment 25 June 1735; was at Colchester 1741;[7] died, unmarried, before 1760.
(7) *Elizabeth*, married to John M'Douall of Freuch, and had issue.
(8) *Penelope Crichton*, died, unmarried, 11 February 1785.[8]

6. *George*, of Dalmahoy, baptized 10 March 1680;[9] admitted a member of the Faculty of Advocates 13 January 1703;[10] appointed Assistant Solicitor of the Customs and Excise 27 September 1707;[11] M.P. for Stranraer 1703-7;[12] a Baron of Exchequer in Scotland 25 May 1709.[13] He died at Moffat 29 July 1745,[14] and was buried at Kirkliston.[15] He married (marriage-contract 23 April 1720[16]) Euphame, second daughter of Sir Andrew Myreton of Gogar, Bart., by Jean Murray, his wife, and by her, who died 8 July 1761,[17] and was buried in the Greyfriars Churchyard, Edinburgh,[18] had issue:—

(1) JOHN, who succeeded as fifth Earl of Stair: of him later.
(2) *William*, born 1735, died at London 16 February 1807.[19] He served in the Army; became colonel 29 August 1777; major-general 20 November 1782; appointed colonel of 47th Regiment 19 May 1794; general 1793; lieutenant-governor of Chelsea Hospital March 1798; M.P. for Wigtown Burghs 1784-90.[20] He married, at London, 16 September 1783,[21] Mari-

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[1] Stair Letters. [2] *Members of Parliament for Scotland*, Foster. [3] *Scots Mag.* [4] Dumfries House Papers. [5] *Ibid.* [6] *Ibid.* [7] *Ibid.* [8] *Caledonian Mercury.* [9] Kirkliston Reg. [10] Books of Sederunt. [11] Stair Papers. [12] *Members of Parliament for Scotland*, Foster. [13] Stair Charter-chest. [14] *Scots Mag.* [15] Session Records of Kirkliston. [16] Stair Charter-chest. [17] Stair Papers. [18] *Ibid.* [19] *Gentleman's Mag.* [20] *Members of Parliament for Scotland*, Foster. [21] *Annual Register.*

anne Dorothy, second daughter of Sir Robert Harland of Sproughton Hall, co. Suffolk, and by her, who was born 1759, and died at Streatham 28 October 1785,[1] had issue:—

i. John William Henry, who succeeded as seventh Earl of Stair: of him later.

(3) *Argyle*, served in the army; was appointed cornet 1st King's Dragoon Guards 1 December 1758; promoted to lieutenant 14 March 1765;[2] transferred, as captain, to the 68th Foot, commission dated 11 June 1765.[3] He joined that regiment, then stationed at Antigua, about the end of the year, and died 14 June 1766.[4]

(4) *Elizabeth*, born 31 January 1721;[5] died at Isleworth 14 October 1816. She was married, at Edinburgh, 12 January 1755,[6] to Lieutenant-General Humphrey Bland, then Commander-in-chief of the Forces in Scotland, who died in London 8 May 1763.[7]

(5) *Eleanor*, who was married, at her mother's house in Edinburgh, 8 January 1751,[8] to James Fergusson of Craigdarroch, who died 1771,[9] and had issue. She died 12 December 1788.[10]

(6) *Euphemia*, born 4 November 1734; died, unmarried, at Edinburgh, 8 September 1770.[11]

(7) *Margaret*, died, unmarried, at Edinburgh, 10 April 1766.[12]

7. *Elizabeth*, born 11 April 1671.[13]
8. *Agnes*, baptized 3 May 1675.[14]
9. *Margaret*, baptized 25 August 1684;[15] died at Sorn Castle, Ayrshire, 3 April 1779.[16] She was married, at Kirkliston, 6 April 1700, to Hugh, third Earl of Loudoun,[17] and had issue. He died 18 November 1731.[18]
10. *Elizabeth*, baptized 31 August 1687.[19]

III. John, second Earl of Stair, baptized 2 August 1673;[20] studied at Leyden, and also in the University of Edinburgh.[21] He served as a Volunteer with the Earl of Angus's regiment at the Battle of Steinkirk 8 August 1692. In 1700 he accompanied Lord Lexington on his embassy to Vienna, after which he made a tour in Italy and Germany, returning to England 1701.[22] On 12 May 1702 he was appointed second

[1] *Gentleman's Mag.* [2] Monthly Returns, 1st K.D.G., Record Office. [3] Commission Book, *ibid.* [4] Monthly Returns, 68th Foot, *ibid.* [5] Edin. Reg. [6] *Scots Mag.* [7] *Ibid.* [8] *Clan Fergusson*, 397. [9] *Ibid.* [10] Stair Papers, Lochinch. [11] *Scots Mag.* and Edin. Tests. [12] *Scots Mag.* [13] Edin. Reg. [14] Kirkliston Reg. [15] *Ibid.* [16] *Caledonian Mercury.* [17] Kirkliston Reg. [18] *Caledonian Mercury*; cf. vol. v. 504, where she is said to have been born 4 February 1677, and to have lived to one hundred. [19] Kirkliston Reg. [20] Edin. Reg. [21] Crawfurd's *Peerage.* [22] *Ibid.*

lieut.-colonel in the Scottish Foot Guards, and in August of the same year he was fighting as a Volunteer in the war against France.[1] A.D.C. to the Duke of Marlborough 1703. He served for a time in the Scots Brigade in Holland,[2] and had a commission as colonel of a regiment in the service of the States. In November 1703 he applied through the Earl of Mar, then Secretary for Scotland, for a colonelcy in the Guards.[3] In January 1706 he was allowed to exchange his Dutch commission for the colonelcy of the Cameronians, and was present at the Battle of Ramilies 23 May of that year; on 24 August following he was appointed colonel of the Scots Greys. The following year, 1707, he was elected a Scottish Representative Peer to the first Union Parliament.[4] He commanded a Brigade at the Battle of Oudenarde 11 July 1708, and was sent home with the Duke of Marlborough's despatches; he was also present at the siege and taking of Lille,[5] August to October 1708. He was promoted major-general in 1709, and in the winter of that year was sent as Envoy-Extraordinary to the Court of Poland. He was lieut.-general 1 January 1710, and got leave to return to the Army, and on 26 May of that year, at the camp before Douay, he was invested by the Duke of Marlborough with the Order of the Thistle, by virtue of a special commission from Her Majesty Queen Anne to the Duke for that purpose.[6]

The preliminaries of peace with France were signed 27 September 1711; and before the year closed the Duke of Marlborough was dismissed from his employments, and the Earl of Stair, among others, was deprived of his command, and had to make over his regiment, the Greys, at a fixed price to the Earl of Portmore. In 1714 Queen Anne died; and in October of that year Lord Stair was appointed a Gentleman of the Bedchamber to King George I.,[7] and on the 29 of the same month was sworn of His Majesty's Privy Council. On 4 March 1715 he was appointed colonel of the 6th (Inniskilling) Dragoons, and in September he was sent as Ambassador-Extraordinary to the King of France.[8] He

[1] *Hist. MSS. Com.*, Earl of Mar and Kellie. [2] *Scots Brigade in Holland*, ii., Scottish History Society. [3] Mar Charter-chest. [4] *Acta Parl. Scot.* [5] Mar Charter-chest. [6] *Hist. MSS. Com. Rep.*, MSS. of C. S. Drummond Moray. [7] *Hist. Reg.* [8] Commission in Stair Charter-chest.

was recalled in 1720, when he retired to his seats in Scotland, and devoted himself to agriculture, and, in the West, to landscape gardening, the laying out of Castle Kennedy grounds being carried out during his retirement from public life. He was made Vice-Admiral of Scotland 1729; but joining the Opposition to Walpole, was in April 1734 deprived of this office, and also of his Regiment of Dragoons and Lord-Lieutenancy of Galloway.[1] He had been a Representative Peer for Scotland in the Parliaments of 1714, 1722, and 1727; but at the General Election of 1734 was not elected, against which he protested. In 1742, on the dissolution of the Walpole Administration, Lord Stair was called from his retirement, and on the 18 March he was appointed Field-Marshal of all the Forces;[2] Governor of Minorca 14 April 1742,[3] and colonel of the Inniskillings 25 April 1714.[4] He was sent as Ambassador Extraordinary and Plenipotentiary to the States of Holland, having received the appointment of Commander-in-chief of the Allied Army in Flanders. He came thence to London, 28 August 1742, waited on the King, assisted at a Council, and set out, on 3 September, on his return to The Hague. Lord Stair commanded the Forces, under King George II., at the Battle of Dettingen, on 16 June 1743; but being disgusted with the preference shown to the Hanoverians, and finding himself reduced to a cypher, he resigned his command in the Army, giving in a memorial to His Majesty, which finishes with 'I hope Your Majesty will give me leave to return to my plough without any mark of your displeasure.'[5]

The Opposition took up the matter of the King's partiality for his native troops. Lord Sandwich in the House of Lords, on 9 December 1743, paid a handsome tribute to Stair, stating that in him England was 'deprived at once of the counsels of her most penetrating statesman, and the Army of her most experienced and bravest warrior.' There being an appearance of France attempting an invasion of Great Britain, Lord Stair and others offered their services, which were accepted, and in 1744 he was appointed Commander-in-chief of the Forces in Great Britain, and on the

[1] *Hist. Reg.* [2] Stair Papers. [3] *Ibid.* [4] *Ibid.* [5] *Stair Annals*, by Murray Graham.

death of his brother-in-law, General the Honourable Sir James Campbell, who was killed at the battle of Fontenoy, 11 May 1745, Lord Stair succeeded him on 28 May 1745 in the colonelcy of the Scots Greys.[1] He was still Commander-in-chief at the time of the Rebellion that year. Appointed General of Marines 10 June 1746,[2] he died the year following at Queensberry House, Edinburgh, 9 May 1747,[3] and was buried, 23 May, at Kirkliston.[4] Lord Stair married, in March 1707-8,[5] Lady Eleanor Campbell, youngest daughter of James, second Earl of Loudoun, and widow of James, first Viscount Primrose,[6] but had no issue. Lady Stair resided in Edinburgh after his death and was an important person in Edinburgh Society. She died there, 21 November 1759,[7] and was buried, 24 November, at Kirkliston.[8]

The second Earl of Stair, seeing that his next brother, William, had married the Countess of Dumfries, a Peeress in her own right, resigned his honours into the hands of Queen Anne, and obtained a novodamus to himself and the heirs-male of his body; which failing, to such person or persons being descended of the first Viscount of Stair, as he should nominate or appoint by writing under his hand in his lifetime; and failing such nomination or the persons so nominated, to William Dalrymple, his immediate younger brother, and his second son and his heirs-male; which failing, to the third, fourth, and any younger sons of that marriage, according to seniority, and to their heirs-male, with divers remainder over; so as when any heir-male, who by virtue of the entail and destination might have right to both the estate and dignity of Dumfries, and the estate and dignity of Stair, should happen to have two sons, the succession to the said estates and honours should always divide, and the estate and dignity of the family of Stair should fall to the second or youngest son, and the heirs-male of his body.[9] This was confirmed by an Act of the Scottish Parliament 21 March 1707.[10] Lord Stair accordingly,

[1] Stair Papers, Oxenfoord. [2] *Ibid.* [3] *Scots Mag.* [4] Kirkliston Session Records, and Funeral Entry at Lyon Office. [5] Stair Papers. [6] In the old Register of St. Peter's-upon-Cornhill there is the following entry:—'March 1707, John Dalrimple, of the Parish of St. James'-in-the-Fields, co. Middlesex, and Eleanor Campbell of St. Margaret's, Westminster, in the same county. In the licence she is described as *widow.* [7] *Edin. Chronicle.* [8] Stair Papers, Lochinch. [9] *Reg. Mag. Sig.*, 27 February 1707. [10] *Acta Parl. Scot.*, xi. 472, App. 134 *a b.*

on 31 March 1747, nominated Captain John Dalrymple, eldest son of his younger brother George, to succeed him in his title and estates. This settlement as regarded the estates was not impeached, but as regards the title was challenged by James, second surviving son of Colonel William Dalrymple and the Countess of Dumfries. The above James, his elder brother William, Earl of Dumfries, and John Dalrymple, who had been nominated by his uncle to succeed him, all three presented to the King petitions claiming the title, which were referred by His Majesty to the House of Lords, who decided, on 4 May 1748, that the nomination, though valid as to the estates, was invalid as regarded the Peerage dignities, and that James Dalrymple, the younger surviving brother of the second Earl, was entitled to the honours.[1]

IV. James Dalrymple, second surviving son of Colonel the Hon. William Dalrymple and the Countess of Dumfries, by this decision of the House of Lords, succeeded to the title, and became third Earl of Stair. He was admitted a member of the Faculty of Advocates 2 July 1728.[2] He died, unmarried, at Castle M'Douall, in the county of Wigtown, 13 November 1760,[3] and was most probably buried at Stonykirk,[4] Wigtownshire, when, in accordance with the remainders in the patent, the title of Stair devolved on his elder brother, William, Earl of Dumfries, all the younger brothers having predeceased without issue.

V. William Dalrymple, fourth Earl of Stair, K.T., and fourth Earl of Dumfries, born 1699,[5] succeeded his brother as fourth Earl of Stair, 13 November 1760. He served in the Army; was in his uncle the Earl of Stair's Regiment of Dragoons; and served in that Regiment and in the 3rd Foot Guards twenty-six years. He acted as aide-de-camp to his uncle the Earl of Stair at the Battle of Dettingen, 27 June 1743; was appointed captain-lieutenant in the 3rd Regiment of Foot Guards; and invested with the Order of the Thistle, at St. James's, 11 March 1752.[6] On his mother's death, in March 1742, he succeeded to the title of Dumfries;

[1] *Herald and Genealogist*, iii. 527. [2] Books of Sederunt. [3] *Scots Mag.* [4] Dumfries House Papers. [5] Stair Papers. [6] *The Knights of England*, i.

and he invested the Duke of Hamilton, at Holyrood Palace, 3 April 1755, with the Order of the Thistle.[1] Lord Dumfries built Dumfries House, near Cumnock, Ayrshire, and dying there, 27 July 1768, was buried at Cumnock.[2] He married, first, 2 April 1731, Lady Anne Gordon, daughter of William, second Earl of Aberdeen, and by her, who died at Edinburgh 15 April 1755,[3] and was buried at Cumnock,[4] he had issue:—

1. *William*, styled Lord Crichton, born 12 December 1734; died at Marylebone School 9 September 1744.[5]

He married, secondly, 19 June 1762,[6] Anne, eldest daughter of William Duff of Crombie, by Elizabeth, daughter of Sir Robert Dalrymple of Castleton; but by her, who was born about 1738, he had no issue. She survived him, and married, secondly, 19 June 1769,[7] the Hon. Alexander Gordon, a Lord of Session as Lord Rockville, fourth son of William, second Earl of Aberdeen, and had issue. She died at Brandsbury, near London, 21 August 1811,[8] aged seventy-three years.

VI. John Dalrymple, fifth Earl of Stair, was eldest son of the Hon. George Dalrymple, youngest son of John, first Earl of Stair, and was named by his uncle, the second Earl, to succeed him in his title and estates. As has been shown, his right to the title was contested, and by judgment of the House of Lords awarded to his cousin. He was admitted a member of the Faculty of Advocates 8 December 1741;[9] later he entered the Army and was promoted to captain. He succeeded to the title of Stair 27 July 1768, on the death of his first cousin, the fourth Earl, and was chosen one of the Representative Peers of Scotland 1771.[10] Lord Stair was strongly opposed to hostilities with America, and never failed to show his disapprobation of them. He took a rather gloomy view of the national credit and resources, and was the author of various pamphlets, on our national finance, of much merit, though he was called the Cassandra of the State for his gloomy predictions.[11] Lord

[1] *Scots Mag.* [2] Information given me by the late C. G. Shaw, Esq. [3] *Scots Mag.* [4] Funeral Entry at Lyon Office. [5] *Scots Mag.* [6] *Ibid.* [7] *Annual Register.* [8] *Ibid.* [9] Books of Sederunt. [10] Robertson's *Proceedings relating to Peerage of Scotland.* [11] *Lord Orford's Royal and Noble Authors*, by Thomas Park, v.

Stair sold the estate of Newliston in West Lothian, which had been left him by his uncle, to Roger Hog, Esq. He died at Culhorn, his seat in Wigtownshire, 13 October 1789.[1] He married, in May 1748,[2] Margaret, daughter of George Middleton of Erroll, Banker in London, by Mary Campbell, his wife,[3] and by her, who survived him, and died at Culhorn 3 February 1798,[4] had issue:—

1. JOHN, styled Viscount Dalrymple.
2. *Mary*, baptized 3 June 1754,[5] died young.

VII. JOHN DALRYMPLE, sixth Earl of Stair, was born at Edinburgh 24 September 1749,[6] and educated at Eton[7] and Edinburgh University. He entered the Army, and became a captain in October 1779[8] in the 87th Regiment of Foot. He served in the American War, and was present at the successful attack on New London and Fort Griswold made in September 1781 by General Arnold, and was mentioned in despatches.[9] Shortly afterwards, on 5 January 1782, Lord Dalrymple was appointed His Majesty's Minister Plenipotentiary to the King and Republic of Poland,[10] and on 5 August 1785 he was appointed Envoy Extraordinary and Minister Plenipotentiary to the Court of Berlin. During his stay there he was sent as First Commissioner to confer the Garter on the Landgrave of Hesse-Cassel.[11] He succeeded his father as sixth Earl 13 October 1789, and was elected a Representative Peer for Scotland in 1790, and also in 1796, 1802, 1806, 1820. He died, unmarried, at his house in Spring Gardens, London, 1 June 1821,[12] and was buried in the vault at Inch, co. Wigtown.[13]

VIII. JOHN WILLIAM HENRY DALRYMPLE, first cousin of the sixth Earl, was the only son of General William Dalrymple (brother of the fifth Earl) by Marianne Dorothy, daughter of Admiral Sir Robert Harland, Bart. He was born 16 November 1784, was educated at Eton,[14] entered the Army and served for a time in the 5th Dragoon Guards. He married, irregularly, 28 May 1804, Johanna, daughter

[1] *Scots Mag.* [2] Stair Papers, Lochinch. [3] *Ibid.* [4] *Annual Register.* [5] Inch Reg. [6] *Scots Mag.* [7] Stair Papers. [8] *Caledonian Mercury.* [9] *London Gazette*, November 3-6, 1781. [10] *Ibid.*, January 1-5, 1782. [11] Stair Papers. [12] *Scots Mag.* [13] M.I., Inch. [14] Dalrymple *v.* Dalrymple.

of Charles Gordon of Clunie; but not considering that marriage to be valid, he married, 2 June 1808, in the Parish Church of Marylebone,[1] Laura, youngest daughter of John Manners of Grantham Grange, co. Lincoln, by Louisa, afterwards Countess of Dysart. This marriage was, however, set aside in consequence of a decision of the Ecclesiastical Court, 16 July 1811, that the previous one was good. But the latter was itself annulled by the divorce of the lady six years later, in June 1820.[2] Lord Stair, who for some years had been confined to his bed, speechless and almost unconscious, died, 20 March 1840, at his house in the Rue de Clichy, Paris.[3] Johanna Gordon, who survived him, continued to style herself the Dowager Countess of Stair, and died at Edinburgh 16 February 1847, and is buried at St. Cuthbert's Churchyard, Edinburgh.[4]

IX. Sir John Hamilton Dalrymple, Bart., eighth Earl of Stair, was the eldest surviving son of Sir John Dalrymple Hamilton Makgill, of Cousland and Oxenfoord, Bart., by Elizabeth Hamilton Makgill, his wife, heiress of Fala and Oxenfoord. He was great-great-grandson of the Hon. Sir James Dalrymple, Bart., of Borthwick, second son of James, first Viscount of Stair. Born at Edinburgh 15 June 1771, he entered the Army, becoming ensign in the 40th (or 2nd Somersetshire) Regiment 28 February 1790; lieutenant 30 April 1792; captain 19th (1st Yorkshire North Riding) Regiment 26 April 1793; lieutenant 3rd Foot Guards 28 April 1793. With this regiment he went to Flanders, returning in 1795. In 1805 he accompanied the expedition to Hanover; and in July 1807 he went to Zealand, and was present at the siege of Copenhagen. He had a brevet as colonel 25 April 1808, and major-general 4 June 1811. At his father's death in 1810 he succeeded him as fifth Baronet of Cousland. In politics a strong Whig, he made two attempts to enter Parliament as a representative for Mid-Lothian under the old constituency, but without success. After the passing of the Reform Bill he was returned for Mid-Lothian. On 20 March 1840 he succeeded his cousin as eighth Earl of Stair; and in April of that year he was

[1] *Ibid.*, 265. [2] *Complete Peerage*, by G. E. C., vii. [3] *Annual Register*.
[4] M.I., St. Cuthbert's Churchyard.

appointed Keeper of the Great Seal of Scotland, which office he held till September 1841, and again from August 1846 till August 1852. He was created a Peer of the United Kingdom, with the title of BARON OXENFOORD OF COUSLAND, by patent dated 16 August 1841. On 20 July 1831 he was appointed colonel of 92nd Highlanders,[1] which office he held till 31 May 1843, when he was made colonel of the 46th Regiment of Foot.[2] He obtained the rank of lieut.-general 20 July 1831, and that of general 28 January 1838, and was created a Knight of the Thistle 12 July 1847. He died at Oxenfoord Castle, Mid-Lothian, 10 January 1853, and was buried in the vault at Cranstoun Church. He married, first, at Kenilworth, co. Warwick, 23 June 1795,[3] Harriet, eldest daughter of the Rev. Robert Augustus Johnson, of Kenilworth, by Anne, sister of William, sixth Baron Craven. She died at Oxenfoord Castle, without issue, 16 October 1823, and was buried at Cranstoun. He married, secondly, 8 June 1825, Adamina, fourth daughter of Admiral Adam, first Viscount Duncan of Camperdown, by Henrietta, daughter of the Right Hon. Robert Dundas of Arniston, Lord President of the Court of Session. She died, without issue, at Oxenfoord Castle, 1 August 1857, and was buried in the vault at Cranstoun Church.

X. Sir North Hamilton Dalrymple, Bart., of Cleland and Fordel, ninth Earl of Stair, next surviving brother of the preceding, was born 1776. He served as a Volunteer with the 24th Regiment at the taking of the Cape 1806. Later he entered the Army and had a commission in the 22nd Light Dragoons, in which regiment he served till 1810, and then in the 25th Light Dragoons. He succeeded as ninth Earl of Stair in January 1853, and dying at Oxenfoord Castle, 9 November 1864, was buried in the vault at Cranstoun Church. He was twice married, first, at Ulverston, in Lancashire, 27 May 1817, to Margaret, youngest daughter of James Penny of Arrad,[4] and by her, who died 22 April 1828 and was buried in the vault at Cranstoun Church, had issue:—

1. John, of whom later.

[1] *Historical Record of* 92*nd Foot.* [2] *Ibid.* [3] *Scots Mag.* [4] *Gentleman's Mag.*

2. *James Johnson*, born 11 June 1824; died 15 September 1825, and was buried in Inveresk Churchyard.[1]
3. *William*, born 26 October 1825; died 20 June 1826, and was buried in Inveresk Churchyard.[2]
4. *Elizabeth Hamilton*, born 19 February 1818; died at Oxenfoord Castle, unmarried, 10 April 1884, and was buried in Cranstoun Old Churchyard.
5. *Anne*, born 2 July 1820; married at Cleland House, Lanarkshire, 22 May 1845,[3] to Sir John Dick Lauder, Bart., of Fountainhall and Grange, who died 23 March 1867. They had issue.
6. *Harriet*, born 19 February 1822; died 28 August 1822, and was buried in Inveresk Churchyard.[4]
7. *Agnes*, born 14 February 1823; married, 4 April 1848, to John More Nisbet of Cairnhill, Lanarkshire. She died 17 July 1900, and he died 29 January 1904. They are both buried in the Dean Cemetery, Edinburgh. They had issue.
8. *Margaret Penny*, born 15 February 1828; married at Oxenfoord Castle, 27 April 1859, to Alan Maconochie Welwood, of Meadowbank, Mid-Lothian, but had no issue. She died 11 October 1888, and he died 29 May 1885. They are both buried at Meadowbank.

Lord Stair married, secondly, 23 March 1831, Martha Willet, daughter of Colonel George Dalrymple (see *ante* p. 138), and by her, who survived him and died at Elliston, Roxburghshire, 5 June 1869, and was buried at St. Boswells Churchyard, had issue:—

9. *George Grey*, born 22 May 1832; ensign Scots Fusilier Guards 11 May 1849, and retired 17 February 1854. He died in London 30 November 1900, and was buried at St. Boswells. He married, 10 November 1853, Ellinor Alice, fifth daughter of William, ninth Lord Napier, and by her, who died 11 May 1903, and was buried at St. Boswells, had issue:—

   (1) *George North*, born 14 February 1856; married, 1894, Jane Margaret Vannet, and has issue:—

      i. *Walter Grey North Hamilton*, born 17 June 1896.
      ii. *George William Francis*, born 31 August 1900.

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[1] Oxenfoord Papers. [2] *Ibid.* [3] *Annual Register.* [4] Oxenfoord Papers.

(2) *Walter Francis*, born 27 July 1857; died 11 January 1892, and is buried at St. Boswells. He married, 9 February 1886, Agnes Raney, daughter of William Charles Owen, of Penrhos, Pembrokeshire, and has issue:—

i. *Donald Francis Napier*, born 20 November 1888.
ii. *Basil Walter*, born 26 January 1891.
iii. *Zelda Raney*, born 18 October 1886.

(3) *Hew Norman*, born 27 April 1864; died 16 March 1865.
(4) *Mary Adelaide Wilhelmina Elizabeth*, born 25 December 1858.

XI. Sir John Hamilton Dalrymple, Bart., tenth Earl of Stair, K.T., was born 1 April 1819, and educated at Harrow; ensign Scots Fusilier Guards 1 July 1836; lieutenant 19 February 1841, and retired 1 July 1842. Elected M.P. for Wigtownshire in 1841, he sat for that constituency till 1856, when he resigned. Succeeded his father as tenth Earl in November 1864, appointed Lord-Lieutenant of Wigtownshire 1851, a Knight of the Thistle 28 August 1865; Lord-Lieutenant of Ayrshire from 1870 to 1897, when he resigned the post; Lord High Commissioner to the General Assembly of the Church of Scotland for the years 1869, 1870, 1871; a captain of, and President of the Council of, the Royal Company of Archers, King's Bodyguard for Scotland; Chancellor of the University of Glasgow; and Governor of the Bank of Scotland. He died at Lochinch, in the county of Wigtown, 3 December 1903, and is buried at Inch. He married, at Bargany, Ayrshire, 9 December 1846, Louisa Jane Henrietta Emily de Franquetot, eldest daughter of Augustin, third Duke de Coigny in the Peerage of France, by his marriage with Henrietta Dundas Dalrymple Hamilton, only child of Sir Hew Dalrymple Hamilton, of North Berwick and Bargany, Bart., and by her, who was born 1 March 1824, died at Lochinch 30 June 1896, and is buried at Inch, had issue:—

1. John Hew North Gustave Henry, of whom later.
2. *North de Coigny*, born 31 October 1853; educated at Harrow; entered the Army, and joined the Scots Guards in 1871; served in the Egyptian War 1882, and in the Soudan 1885, where he was severely wounded; Knight of the Medjidieh (fifth class). He was for a time A.D.C. to H.R.H. the Duke of Connaught;

he served in the South African War, and was severely wounded at the battle of Belmont, and lost his left arm. He commanded the 3rd Battalion of the Scots Guards 1900 to 1904; M.V.O. Succeeded his mother in the estate of Bargany in 1896, when he assumed the additional name and arms of Hamilton of Bargany, and died at Crieff, Perthshire, 4 November 1906, and was buried at Old Dailly, Ayrshire. He married, in London, 7 September 1880, Marcia Kathleen Anne, youngest daughter of the Hon. Sir Adolphus Liddel, K.C.B., and by her, who died in London 1 July 1907, and was buried at Old Dailly, had issue:—

(1) *North Victor Cecil*, born 19 March 1883; served for a time in the Scots Guards; succeeded his father in the Bargany estate in November 1906. Married at St. Peter's Church, Eton Square, London, 27 April 1910, Marjorie, daughter of Thomas, third Earl of Leicester.

(2) *Frederick Hew George*, born 27 March 1890; a sub-lieutenant in the Royal Navy.

(3) *Victoria Alexandra*, born 5 November 1886; died 5 June 1890, and was buried at Clewer.

3. *Hew Hamilton*, born 27 September 1857; lieutenant-colonel 3rd Battalion Royal Scots Fusiliers, retired; J.P. for the Counties of Ayr and Wigtown; a brigadier in the Royal Company of Archers, King's Bodyguard for Scotland.
4. *The Rev. Robert Makgill*, born 11 October 1862; M.A. Oxford; Vicar of Sneinton, Nottingham.
5. *Margaret Elizabeth*, born 28 April 1850; died at Leamington 8 June 1851, and is buried there.
6. *Jane Georgina*, twin with Margaret, born 28 April 1850. She was married at St. George's Church, Hanover Square, London, 10 March 1880, to Sir Arthur Pendarvis Vivian, K.C.B., of Bosahan, Cornwall, and has issue.
7. *Mary Evelyn*, born 15 July 1852; died, unmarried, at Lochinch, 8 September 1889, and is buried at Inch.
8. *Anne Henrietta*, born 10 November 1855; was married at St. James's Church, Piccadilly, London, 19 November 1881, to Major-General William Vesey Brownlow, C.B. She died, without issue, at Oxenfoord Castle,

18 February 1898, and is buried in Cranstoun Old Churchyard.

9. *Emily Ellen*, born 22 February 1859; died, unmarried, at Oxenfoord Castle, 29 May 1881, and is buried in Cranstoun Old Churchyard.

XII. Sir John Hew North Gustave Henry Hamilton Dalrymple, Bart., eleventh Earl of Stair, was born 12 June 1848, and educated at Harrow and Trinity College, Cambridge; M.A.; served in the Army in the Royal Horse Guards. He retired as major; was A.D.C. to the Right Hon. W. P. Adam when Governor of Madras; served for a time in the Ayrshire Imperial Yeomanry, from which he retired 1906. Provost of the Royal Burgh of Stranraer. Lord High Commissioner to the Church of Scotland, 1910. He married, at Dunbar Church, 10 April 1878, Susan Harriet, eldest daughter of the late Sir James Grant Suttie, Bart., which marriage was dissolved in 1905, and has issue:—

1. *John James*, Viscount Dalrymple, born 1 February 1879; educated at Harrow; captain in the Scots Guards; served in the South African War, 1900-2 (two medals). M.P. for Wigtownshire 1906. He married, in the Guards' Chapel, Wellington Barracks, London, 20 October 1904, Violet, only daughter of Colonel and Mrs. Harford of Down Place, Windsor, and has issue:—

   (1) *John Aymer*, born 9 October 1906.
   (2) *Hew North*, born 27 April 1910.
   (3) *Jean Margaret Florence*, born at Oxenfoord Castle, 15 August 1905.
   (4) *Marion Violet*, born 1 February 1908.

2. *Beatrice Susan*, born 2 September 1881; married at St. Margaret's Church, Westminster, 1 June 1908, to Archibald Seton, Lord Montgomerie, eldest son of the fifteenth Earl of Eglinton and eighth Earl of Winton.
3. *Marjorie Louise*, born 23 February 1888.

Creations.—Baronet, 2 June 1664; Viscount Stair, Baron Glenluce, Baron Stranraer, 21 April 1690; Earl of Stair, Viscount Dalrymple, Baron Newliston, Glenluce and Stranraer, in the Peerage of Scotland, 8 April 1703; Baron

Oxenfoord of Cousland in the Peerage of the United Kingdom, 11 August 1841.

Arms (recorded in Lyon Register).—Quarterly: 1st, or, on a saltire azure nine lozenges of the field, for *Dalrymple*; 2nd, or, a chevron chequy sable and argent between three water bougets of the second, for *Ross*; 3rd grand quarter quarterly, 1st and 4th counter-quartered, 1st and 4th, gules, three cinquefoils ermine, 2nd and 3rd, argent, a galley, sails furled sable, the whole within a bordure company argent and azure, the first charged with hearts gules, and the second with mullets argent, for *Hamilton of Bargany*; 2nd and 3rd, gules, on a fess between three crescents or, as many mullets azure, for *de Franquetot*; 4th grand quarter, quarterly, 1st and 4th, gules, on a chevron between three cinquefoils argent, as many round buckles azure, for *Hamilton of Fala*; 2nd and 3rd, gules, three martlets argent, for *Makgill*.

Supporters.—Two storks holding in their beaks a fish, all proper.

Crest.—A rock proper.

Motto.—*Firm*.

[H. H. D.]

ALEXANDER, EARL OF STIRLING

IT has been generally asserted that the family of Alexander of Menstrie was descended from the Lords of the Isles, through Alexander, second son of Donald, the third Lord on record,[1] and that it is an offshoot from or connected with the Clan Allister or MacAllister. But there is no record evidence of this; the name Alexander is, as might indeed be expected, found widely spread throughout Scotland. William Alexander occurs in connection with the Accounts of the City of Edinburgh in 1435;[2] Robert Alexander was a 'granger' in Feichly and Drummelochy, in Strathdon, in 1438,[3] while William Alexander or Alexanderson (both forms of the name are used) was the Crown receiver for Morayshire in 1499,[4] and the name is of frequent occurrence in the Moray rentals during the earlier part of the sixteenth century. There were also dwellers of the name in Fife; Sir Laurence Alexander or Alexanderson and Thomas Alexander were in Kingskettle in 1522.[5]

The first ancestor of the family from whom descent can be traced is Thomas Alexander of Menstrie, who was one of seventeen assessors in a question between the Abbot of

[1] Cf. vol. v. 32. [2] *Exch. Rolls*, iv. 663. [3] *Ibid.*, v. 56. [4] *Ibid.*, xi. 437. [5] *Ibid.*, xiv. 504.

Cambuskenneth and Sir David Bruce of Clackmannan relating to the division of certain lands[1] on 6 March 1505-6. How Menstrie was acquired by Alexander has not been definitely ascertained. The lands belonged to the Earl of Argyll, and it has been thought that it was owing to the connection which the family had with Argyllshire that some member of it got a grant of the lands from Argyll, but as mentioned above, the name was not uncommon even in the East of Scotland; and in 1518 William Alexander is named as a tenant on the lands of Tullibody, not far from Menstrie.[2]

The next possessor of the lands of Menstrie was in all probability the son of Thomas Alexander,

Andrew Alexander of Menstrie. On 8 April 1526 he had a charter from John, Earl of Argyll, to himself and his wife, in liferent, and his son Alexander in fee, of the lands of Menstrie.[3] He married Catherine Graham, who died about 1530, as on 25 February 1548-49 her son Alexander was served heir to her in a house in St. Mary's Wynd, Stirling, which had been in nonentry for eighteen years,[4] and had issue:—

1. Alexander, who succeeded.
2. *Andrew*, styled presbyter in a sasine dated 15 November 1529.
3. *William*, who has usually been considered to have been a son of the above-mentioned Alexander, but was more probably his brother. He had a charter on 23 May 1542 from William Murray of Tullibardine to himself and his wife, Jonet Marshall, of half the lands of Clow, co. Perth, to which his brother Andrew was a witness. On 15 August 1553 he had another charter of the same lands to himself and his wife, and their eldest son Adam, in fee.[5]

Alexander Alexander of Menstrie, who succeeded his father, surrendered the lands of Menstrie into the hands of

[1] *Chart. of Cambuskenneth*, 86. [2] *Acta Dom. Conc.*, xxxi. 39. [3] Menstrie Writs cited in Rogers's *Memorials of the Earl of Stirling*, 8. [4] Stirling Town Council and Court Book 1544-50; *Sasine* 1548-49; Fragments of StirlingProtocols 1513-96. [5] Both these charters were confirmed 27 May 1557, *Reg. Mag. Sig.*

his superior, the Earl of Argyll, who took sasine of them in February 1527.[1] In another sasine of 1529, 'Alexander Alsynder de Menstrie' is appointed bailie of Argyll's estates in Clackmannanshire. On 25 August 1529 Alexander had a charter in feu-farm from the Earl of Argyll, and his son Archibald, to himself and his wife, Elizabeth Douglas, and their son and heir, Andrew, of the five-pound lands of the Mains of Menstrie, with the mill and the bog of Menstrie: they were to pay for this annually 24 bolls of wheat, 24 bolls of bear, 24 bolls of oats, 5 sheep of two years unshorn, 52 capons, and 13 merks money, besides some other casualties.[2] On 15 January 1529-30, Alexander had another charter from the Earl in which he sold him certain lands of Dufletter, in the county of Perth, previously in the possession of his father and mother, but which they had alienated.[3] An Alexander Alexander in Menstrie witnessed the charters of 1541 and 1542 to William Alexander, but the relationship, if any, is not stated. He was one of the cautioners for the Abbot of Cupar in an agreement between the Abbot and the Bishop of Dunkeld, 22 December 1547.[4] He died between 1553 and 26 February 1557-58, when William is styled his son and heir.[5] He married, first, before 25 June 1530,[6] Elizabeth, daughter of Thomas Douglas, eldest son of Sir Robert Douglas of Lochleven.[7] He had a charter with her of the Templeland, in Menstrie, 31 May 1537.[8] He seems to have married, secondly, Elizabeth Forbes, relict of Henry Spittal of Blairlogie. It is possible that Elizabeth Forbes was the wife, not of this Alexander, but of a son of the same name, who is designed on 19 November 1554 son of umquhile Alexander Alschender of Menstrie,[9] and who was dead in 1564. By his first wife he had issue:—

1. *Andrew*, who died *s.p. vitâ patris.*
2. WILLIAM, who succeeded.

[1] Argyll Writs, cited by Rogers. [2] *Reg. Mag. Sig.*, 20 April 1530. [3] *Ibid.* [4] *Acta Dom. Conc.*, xxvi. 32. [5] *Acts and Decreets*, xvi. 395; see also *Edin. Com. Decreets*, i. 45, Edinburgh, 6 June 1564; the date of his will is there stated as 14 February 1564, but the year is an interpolation in the record, and is impossible, as at that time February 1564 would correspond to the modern date of February 1565. [6] Stirling Protocols, *ut sup.* [7] Cf. vol. vi. 368. [8] Templeland Registers in H.M. Reg. Ho. [9] Burgh Court Books of Stirling, *ex inform.* W. B. Cook, Esq.

3. *John*, mentioned in sasines of 1541 and 1542.[1]
4. *James*. He was a merchant burgess of Stirling.[2] He had a charter, 8 October 1582, from John, Earl of Mar, on payment of 1000 merks of an annualrent of 100 merks, from the lands of Langcarse in the barony of Alloa.[3] He is styled Tutor of Menstrie, 5 September 1593.[4] He may be identical with that James Alexander who married, 23 October 1580, at Perth, Janet Gaudee.[5] He had at least one son, *James*, mentioned in his aunt Elizabeth's will.
5. *Marion*, married, first, to Alexander Murray of Woodend, and died in January 1595,[6] leaving issue, and, secondly, to James Muschet of Burnbank.[7]
6. *Elizabeth*, married to John Leishman, merchant, Stirling, who died before 11 July 1590, when she is mentioned as his widow. She died in February 1607.[8]
7. *Margaret*, mentioned in her nephew Alexander's will. She was married to John Stirling, probably that John, brother to Henry Stirling of Ardoch, mentioned in her sister Elizabeth's will. She was buried at Logie February 1592-93.[9]

William Alexander of Menstrie. Very little is known about William, who cannot have held the lands long, as his eldest son, who is styled 'of Menstrie,' died in 1580. He had along with his wife a charter of the Templeland, in Menstrie, on his father's resignation, 17 June 1553.[10] He died before 11 June 1574, having married Elizabeth, daughter of Alan Coutts, Cutes, or Couttie,[11] probably the person of that name who was Chamberlain of Dunfermline, and Marjory Walwod his wife,[12] and had issue:—

1. Alexander, who succeeded.

[1] Argyll Writs, cited by Rogers. [2] *Reg. of Deeds*, xxv. 201. [3] *Reg. Mag. Sig.*, 30 May 1584. [4] *Reg. of Deeds*, xlv. 307. [5] *Perth Reg.* [6] Edin. Tests. [7] Dunblane Tests. [8] Edin. Tests., 7 May 1607. [9] *Hist. of Parish of Logie*, i. 35. [10] Templeland Reg. [11] In the will of Alexander Alexander, William's eldest son, reference is made to his 'guidschir' Alane Cutes. By reading this as 'father-in-law' instead of grandfather, Dr. Rogers (*Memorials of the Earl of Stirling*, 27) assigns the Coutts marriage to Alexander instead of to William, a mistake which has been followed by the writer of the article on the Earl of Stirling in the *Dict. of National Biography*. [12] *Reg. Mag. Sig.*

2. *Archibald*, merchant in Stirling.[1] He witnessed a charter 24 October 1589.[2] In 1591 he is styled one of the bailies of Dunfermline, but this is probably an error.[3] He was a bailie of Stirling in 1593[4] and Dean of Guild in 1599. He was returned as a commissioner in June 1601 to the Convention of Burghs, and in August of the same year to the Convention of Estates. He was a member of the latter body in May 1605. He died 13 September 1621,[5] having married, in June or July 1589,[6] Elizabeth, daughter of Robert Alexander, burgess of Stirling, and by her had issue:—

   (1) *James*, baptized 23 December 1591,[7] was admitted a burgess of Stirling 9 September 1623, and was a Town Councillor 1633.[8] He was mentioned in his father's will.
   (2) *John*, alive in 1622.[9]
   (3) *Elizabeth*, baptized March 1590.[10]

3. *Andrew*, described as 'brother of Archibald Alexander' in a deed of 1 April 1606,[11] and in a contract in which Sir William Alexander consents to infeft certain persons in an annualrent from the lands of Tillicoultry, 'with consent of Andro Alexander his father's brother,' 15 July 1623.[12] He married Janet Archibald, and was alive November 1643.[13]
5. *William*, apprenticed to Robert Meiklejohn, skinner, Edinburgh, 18 May 1602.[14]
6. *John*, apprenticed to Robert Livingstone, baker, Edinburgh, 13 November 1605.[15]
9. *Janet*, married to John Burne, with issue a daughter, *Elizabeth*, baptized 15 June 1587.[16]

Alexander Alexander of Menstrie had a precept of clare constat as heir of William of Menstrie, his father, 11 June 1574. He died 10 February 1580-81,[17] having married Marion, daughter of Gilbert Graham of Gartaver-

1 Stirling Kirk-Session Records. 2 *Reg. Mag. Sig.*, 24 August 1590. 3 Stirling Burgh Reg. of Sasines, 7 December 1591. 4 Stirling Guildry Records. 5 Edin. Tests. 6 Stirling Kirk-Session Records. 7 *Ibid.* 8 Stirling Town Council Records. 9 Protocol Book of Alexander Barclay. 10 Stirling Baptism Reg. 11 Stirling Reg. of Sasines. 12 *Reg. of Deeds*, ccclxxiv. 16 June 1625. 13 Protocol Book of Alexander Barclay. 14 Edin. Apprentice Reg. 15 *Ibid.* 16 Stirling Baptism Reg. 17 Edin. Tests., 24 May 1581.

tane in Menteith, with whom he had sasine of the Templeland in Menstrie 13 July 1574.[1] His brother William[2] is alluded to in the inventory of Alexander's estate. They had issue:—

1. William.
2. *Marion*, married, 10 August 1589, to Duncan Paterson, merchant burgess of Stirling.[3]
3. *Janet*, married on or after 14 December 1583, when she had a charter with him as his future spouse, to David Forrester of Logie, of the lands of Logie in Stirlingshire.[4] He was killed in a feud between the Livingstones and Bruces 24 June 1595.[5]
4. *Elizabeth*,[6] married, 25 September 1592, to Walter Neisch of Dubbiehead, co. Stirling.[7] He was a bailie of Stirling in 1599, and died of the plague in September 1606.[8]
5. *Cristine*, married to Patrick Kinross, was probably another daughter.[9]

I. William Alexander, afterwards first Earl of Stirling, was born about 1567.[10] At his father's death his grand-uncle James was appointed his tutor, and it is presumed, with some degree of probability that he received his early education at the Grammar School of Stirling. Latterly it is said that he attended, like so many other young Scotsmen, the University of Leyden.[11] He was chosen as travelling companion to Archibald, seventh Earl of Argyll, and accompanied him to France, Spain and Italy, 'where Mr. Alexander learned his languages.'[12] On 4 May 1605 he had a charter in feu-farm of the lands of Menstrie

[1] Templeland Reg. [2] Cf. *Reg. Mag Sig.*, 21 January 1572-73. [3] Stirling Kirk-Session Records; Rogers's *Earl of Stirling* (i. 15) calls her daughter of the previous Alexander Alexander, but the dates will not admit of this. [4] *Reg. Mag. Sig.* Rogers says this Janet was married to Walter Cowan, merchant, Stirling, but Mr. W. B. Cook points out that this was another Janet Alexander, probably the daughter of Alexander Alexander, in Menstrie, and a burgess of Stirling. [5] *Hist. of Parish of Logie*, 42. [6] Erroneously called Christian by Rogers. [7] Stirling Mar. Reg. [8] Stirling Tests., 15 March 1608. [9] *Ex inform.* W. B. Cook. [10] Rogers's *Earl of Stirling*, i. 32. [11] Hawthornden ms., Adv. Lib. No record, however, has been found of his name in the University archives; Rogers's *Earl of Stirling*, i. 34. [12] Wodrow's *Analecta*, iii. 299. As Argyll was home again in 1592, when he was only seventeen, his stay on the Continent cannot have been very long.

from the Earl of Argyll, extending to a twenty-pound land, for which he was to pay yearly 24 bolls of wheat, 120 bolls bear, 52 bolls oatmeal, and 23 bolls oats, besides 48 capons, 24 hens, 30 unclipped lambs, and 100 merks in money.[1] On 24 September 1607 he had a grant from the Crown in feu-farm of all the minerals on the estate of Menstrie,[2] and on 6 June 1609 he, together with his wife in fee and father-in-law, Sir William Erskine, in liferent, got a charter from Argyll, not, as has usually been stated, of the lands of Menstrie but of the rent above stated, which he had to pay annually for the lands.[3] It was not till 30 July 1628 that he obtained from the King a ratification of a charter dated 8 and 10 July previous by the Earl of Argyll conveying to Alexander the absolute proprietorship of the lands of Menstrie for a reddendo of £80 a year.[4]

Introduced at Court by his patron and feudal superior, the Earl of Argyll, Alexander became ere long tutor to Prince Henry, and was appointed one of the Gentlemen of his Bedchamber. Like so many other Scotsmen, and especially Court favourites, he followed James VI. when he went to take possession of the English Crown in 1603. His literary talents and personal accomplishments rendered him very acceptable to the King, and substantial rewards were not long in following. On 13 January 1608 he and Walter Alexander, an usher in the Prince's household, were authorised to uplift certain arrears of taxes due to the Crown, amounting nominally to £12,000, on which they were to have commission of 50 per cent. He was knighted before 25 May 1609, when he entered into a contract with Sir James Shaw of Sauchie, from whom he afterwards apprised the lands of Wester Tillicoultry.[5] On the death of Prince Henry in 1612 Alexander received a similar position to that which he had last held in the household of Prince Charles. In the following year, along with Thomas Foulis, goldsmith, Edinburgh, and a Portuguese called Paul Pinto, he got a lease of the silver mine of Hilderston in Linlithgowshire. Locally the grant does not seem to have been popular, as in a very few months the lessees lodged a complaint against James Ross of Tortreven

[1] *Reg. Mag. Sig.*, 21 May 1605. [2] *Ibid.* [3] *Ibid.*, 16 April 1616. [4] *Ibid.*, at date. [5] *Reg. Mag. Sig.*, 14 August 1612.

and others for filling up the shaft which had been dug, and generally impeding their operations in every possible way.[1] The speculation, however, did not prove a success, and the work was before long stopped.[2] It was probably in connection with the business of this mine that Alexander came to Scotland in 1614, when he formed his memorable friendship with the poet Drummond, who visited him at Menstrie that year. It was in that year too that he was made Master of Requests, and as such acted as a sort of buffer between his royal master and the many applicants (mostly his own countrymen) for his favour and bounty. He was again in Scotland in 1615, and on 11 July that year was admitted as a Privy Councillor,[3] but as his name is not found in any sederunt after August, he probably returned to London without much delay.

One of the most important episodes in Alexander's life was the attempted colonisation of Nova Scotia and the consequent creation of an order of Baronets of that country. In 1621 the King intimated to his council that they should grant to Alexander, who had 'a purchase to procure a forraine plantation,' a certain extent of land lying between New England and Newfoundland,[4] and on 10 September in that year he had a royal charter appointing him governor of a vast territory in North America which was erected into a lordship and barony of Nova Scotia.[5] Some tentative efforts at colonisation were failures, and in 1624 Alexander endeavoured to stimulate public interest in his scheme by issuing a brilliant little work entitled *An Encouragement to Colonies*. The author, however, was in advance of his time, and his appeal fell flat. His next expedient, taken from the financial success of a similar experiment in relation to Ulster, was to get a certain number of Scottish landowners created Baronets, with a grant of lands in the new colony. On 18 October 1624 the King announced to his council his intention of creating the new order.[6] Having got their approval, the scheme was finally launched on St. Andrew's Day 1624. One hundred Baronets were to be created; suitable applicants for the honour were to provide

[1] *P. C. Reg.*, x. 15, 146. [2] *Proc. Society of Antiq. Scot.*, x. 236. [3] *P. C. Reg.*, x. 358. [4] *Ibid.*, xii. 774. [5] *Reg. Mag. Sig.*, *Royal Letters, etc., relating to the Colonisation of New Scotland*, etc., Bannatyne Club, 1867. [6] *P. C. Reg.*, xiii. 616.

six artificers or labourers properly equipped and victualled for two years under a penalty of 2000 merks, and also to pay to Alexander 1000 merks for his labour in the matter. These conditions were slightly modified the next year, but further progress was interrupted by the death of the King 27 March 1625. Two months afterwards, however, on 28 and 29 May the first eight Baronets were created, and on 12 July Alexander got a novodamus of the barony of Nova Scotia from the new King.[1] The rapid rise of Alexander into a position of importance gave occasion, as might be expected, to a certain amount of opposition among the more ancient landowners of the country, and the Estates petitioned the King against the institution of the new order.[2] The reply of King Charles was to appoint Alexander, 8 March 1626, to the office of Secretary for Scotland at the English Court,[3] and to include him on the list of the new Privy Council;[4] in October 1626 he was on a commission for the discovery of Papists,[5] and on the 20 October 1627 he was, on the resignation of the Earl of Haddington, appointed Principal Secretary for Scotland. He had many charters from the King, some appointing him in his official capacity as member of committees, and others dealing with his cherished scheme of colonisation. On 30 July 1628 he had, along with his wife, a ratification from the Crown of a grant from Lord Lorne of the barony of Menstrie,[6] probably intended to put his holding of the property in a sounder and more coherent footing than it had hitherto been. On 11 April 1629 he had a grant of certain lands of Largs, the town of that name being erected into a burgh of barony,[7] but these lands were sold shortly after, and on 30 July 1629 another of the barony of Tullibody, which lay not far from Menstrie in Clackmannan.[8] On 4 September 1630 a patent was issued to Sir William, 'qui primus regni Scotie coloniam ad regiones transmarinas duxerat,' creating him VISCOUNT OF STIRLING and LORD ALEXANDER OF TULLIBODY, with remainder to his heirs-male bearing the name and arms of Alexander.[9] He was also made Master of Requests in Scotland, a position similar to that which he had held in England many years before.[10] But mis-

[1] *Reg. Mag. Sig.* [2] *Acta Parl. Scot.*, v. 185. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.* [6] *Ibid.* [7] *Ibid.* [8] *Ibid.* [9] *Ibid.* [10] See p. 172.

fortune came soon; Nova Scotia was surrendered, under treaty, to the French, and notwithstanding contrary assurances by the King that the colony would be maintained, the enterprising minister saw his hopes of founding a new Scottish settlement beyond the seas gradually fade away. A fishing company, too, connected with the Isle of Lewis, in which he became interested at this period, did not prove a success. A well meant attempt of the King to improve his fortunes by giving him a royalty on the issue of certain copper coins was also not only a failure, but was the cause of much popular opposition, and they ultimately disappeared from circulation after but a short life.

Lord Stirling, after he was created a Peer, was seized with what has always been a dangerous fascination for Scotsmen, that of building a house worthy of his position in the country. In the ancient town of Stirling, not far from the Castle, he erected, from the designs of his second son Anthony, who had studied architecture abroad, the building which is now known as Argyll's Lodging. It is a noble and well-planned mansion, and fortunately still survives externally intact as an admirable specimen of seventeenth century art.

At the coronation of Charles on 14 June 1633 Lord Stirling was created EARL OF STIRLING, VISCOUNT OF CANADA, and LORD ALEXANDER OF TULLIBODY, with remainder to his heirs-male of the name of Alexander. While he had received a warrant for £10,000 to recoup him for the losses he had sustained in his public-spirited efforts at colonisation, he found that there was little chance of his ever getting any actual payment of the money, so he took measures to obtain a grant of further possessions abroad. In January 1635, therefore, he obtained from the Council of New England a grant of certain lands in America including the Island of Matowack or Long Island, to be after called the Isle of Stirling. The Earl's connection with the island, however, was as evanescent as his fortune, and the land which was then bestowed on him now forms part of New York. The fortune that was awaiting the possessor of this ground was not then foreseen, and the gift did not do much towards putting the earl's financial affairs on a satisfactory basis. Till the time of his death,

which took place at Covent Garden, London, 12 February 1640, he was never free from pecuniary embarrassments.

It may be seen from the above sketch of his political career that the Earl of Stirling was a public spirited and patriotic man, and as a statesman in some respects far in advance of his time. But there is another side of his character which even in a notice like the present it would be wrong to omit, as no doubt it largely influenced his conceptions and ideals. He was a poet of no mean order, and his output of verse, considering the busy life he must have led, is marvellous. They have now fallen into oblivion, but the man who earned the intimate friendship of Drummond, and whose works were read by Milton, must have had some share of poetic genius. The first essay of his 'rude and unskilful Muse,' as he terms it, was a poem called *The Tragedie of Darius*, published at Edinburgh in 1603. Besides other tragedies and verses there appeared in 1604 a semi-autobiographical poem called *Aurora*, containing 'the first fancies of the author's youth.' In 1607 all the plays he had written were published in one volume, and he does not seem to have produced any more tragedies. His longest poem was *Doomes-day*, the first four books of which were published in 1614, but the poem, completed in 1637, extends to twelve books. As poet, perhaps, the Earl is principally known by his translation of the Psalms into metre. These were begun at the instance of King James VI., who had already tried his hand at several versions. It was not till after the King's death that the translation was published, in 1631, the licence of King Charles I. stating that he had authorised this translation 'whereof oure late deare father was author,' to be printed. But the translation did not appeal either to church or people; it fell into disuse, and was rendered even more unpopular by being bound up with Archbishop Laud's Service-book. In 1637 the Earl made a collection of all his poems except the *Aurora*, and published them in a folio volume.

With his gifts of poetic imagination and some share of genius, the Earl seems to have lacked that capacity for turning his talents to his own practical advantage which is often characteristic of the poetic race. A far-seeing statesman, with ideas much in advance of his time, and with

talents which distinguished him from his contemporaries, he stands out as one of the most brilliant of his countrymen that the seventeenth century produced. But from a mundane point of view he was a failure. His great schemes of colonisation were not destined to be carried into execution for long after his day, and then in a manner which he did not anticipate. His literary productions failed to attract the attention of the public, and his edition of the Psalms seemed to accentuate an unpopularity which he had already earned by his fearless and impartial administration in his office of Secretary of State. No doubt he had grand ideas: if he 'thought imperially' he also lived imperially, and though his income must at one time have been considerable, it did not suffice for his requirements. He died insolvent at his residence in Covent Garden, London, 21 February 1639-40.[1] The body was embalmed and conveyed to Stirling. It was buried, 12 April 1640, in the family vault in the Parish Church there, which had been acquired by the Earl himself and partially rebuilt by him.

The Earl of Stirling married (contract 3 January 1601) Janet, only daughter of Sir William Erskine, styled Parson of Campsie, second son of James Erskine of Little Sauchie.[2] She survived her husband and was alive in May 1649.[3] By her the Earl had issue:—

1. William, styled Lord Alexander. He was born about 1604 and was educated at the University of Glasgow, entering there in 1618.[4] He was knighted at Whitehall 22 March 1627,[5] and in March 1628 started with an expedition to colonise Newfoundland, Canada, and New Scotland.[6] His father could have fixed upon no better lieutenant for the carrying out of his plans, as his son seems to have been keen and enthusiastic. How long his first venture lasted is doubtful; if, as it is stated,[7] he gave, on 25 December 1523, 'after his returne from his sea voyage,' £58 to the kirk-session of Stirling for the poor, his stay abroad must have been a short one, and he must have

[1] The confirmation of his testament-dative gives March as the date of death, Edin. Tests., 4 December 1641; Crawfurd's *Peerage*, 463. [2] Cf. vol. iii. 609. [3] *Reg. Mag. Sig.*, 11 June 1649. [4] *Munimenta Univ. Glasg.*, iii. 73. [5] Shaw's *Knights of England*, ii. 196. [6] *P. C. Reg.*, 2nd ser., ii. 489. [7] Rogers's *Earl of Stirling*, i. 205.

returned shortly after, as a royal letter prescribing a cognisance for the Nova Scotia Baronets, dated 17 November 1629, describes him as 'now resident' in New Scotland.[1] In November 1631 he was, under the style of Master of Stirling, the subject of a complaint before the Privy Council for the alleged illegal seizure of a ship off Lübeck, laden with salt.[2] He had a monopoly for thirty-five years of the trade in furs and wool in Canada.[3] He was admitted a member of the Privy Council 26 January 1635,[4] and interested himself actively in its proceedings, being a member of many committees. The day after his admission to the Privy Council he received the further honour of being appointed an Extraordinary Lord of Session in succession to his father.[5] He did not survive long thereafter, dying at London 18 May 1638.[6] He was buried at Stirling. He married, probably about 1629, Margaret, eldest daughter of William, eleventh Earl of Angus and first Marquess of Douglas. She died 1 January 1660, aged forty-nine.[7] By her he had issue:—

(1) WILLIAM, who succeeded his grandfather.

(2) *Catherine*, married, April 1657, as his second wife, to Walter, Lord Sandilands, afterwards sixth Lord Torphichen. She died, before 13 February 1686,[8] leaving issue two daughters:—

i. *Anne*, married (contract 21 February 1684) to Robert, son and heir of Sir Alexander Menzies of Castle Menzies, with issue.

ii. *Catherine*, married (contract 29 April 1639) to David Drummond of Cultmalindie, without issue.

(3) *Jean*, styled second daughter.[9]

(4) *Margaret*, married, as his second wife (contract 6 August 1670[10]), 1672, to Sir Robert Sinclair, Baronet, of Longformacus, with issue:—

i. *Catherine*, born May 1673, died young.

ii. *Jean*, married, 19 June 1688, to John Hamilton, Master of Bargany.[11] She died 12, and was buried 16 December 1700, in St. Giles' Church, Edinburgh, leaving issue one daughter.[12]

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[1] *P. C. Reg.*, 2nd ser., iii. 393. [2] *Ibid.*, iv. 375. [3] *Colonial Papers*, 165. [4] *P. C. Reg.*, 2nd ser., v. 472. [5] Books of Sederunt. [6] Balfour says March (*Annals*, ii. 319), but May is given in a contemporary memorandum in the *Register of Letters*. [7] Cf. vol. i. 205. [8] Calder House Writs. [9] *Edin. Sasines*, vi. 202. [10] *Ibid.*, xviii. 375. [11] Cf. vol. ii. 31; Edin. Reg. [12] For her descendants see titles Bargany and Stair.

iii. *Anne*, married, 17 February 1628, to Sir John Swinton of that Ilk,[1] with issue.[2]

(5) *Lucy*, married to Edward Harrington, a page of honour to the Prince of Orange in 1630;[3] died before 24 March 1645.[4]

It is among the descendants of the daughters of William, Lord Alexander, that the heir-general of the first Earl is to be found.

2. *Anthony*, the second son of the first Earl, inherited much of his father's ability, and had he lived to see older age would probably have made a distinguished name for himself. Like his elder brother he was sent to the University of Glasgow, which he entered in March 1623.[5] He had licence to travel for three years in July 1626,[6] and he seems to have spent most of his time abroad in studying architecture, to such effect that when he returned home he was appointed joint Master of Works to the King, 1 April 1629,[7] along with James Murray of Kilbaberton. It is stated in his appointment that he had acquired 'eruditione et peregrinando sufficientam peritiam in architectura.' He had a ratification of this grant to himself alone, Murray having died, from King Charles I. 15 December 1634.[8] The appointment was at the latter date unsuccessfully opposed by the Scottish Lodge of Freemasons, who claimed that the duties of the office were vested in their hereditary Grand Master, Sir William St. Clair of Roslin. Anthony Alexander was knighted at Whitehall in 1635. He did not long survive this date, dying at London 17 September 1637,[9] but as in the case of the other members of the family, he was buried in the family vault at Stirling.[10] His memory was the subject of an elaborate elegy by his father's friend, Sir William Drummond of Hawthornden, in which he deplored, in the pastoral style of the day :—

'Dear Alcon, ravished from this mortal stage,
In sweetest prime and blooming of his age.'

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[1] *Swintons of that Ilk*, 80. [2] Their second daughter, Mary, was that 'Aunt Margaret' who was murdered by her servant in a fit of insanity in 1780, and from whom Sir Walter Scott got as a child much interesting material which he afterwards utilised in his tales. [3] Wood's Douglas's *Peerage*. [4] Gartmore Writs. [5] *Munimenta Univ. Glasg.* [6] *Reg. of Letters.* [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] *Reg. of Letters.* [10] Balfour's *Annals*, ii. 251.

Sir Anthony married Elizabeth, daughter of Sir Henry Wardlaw of Pitreavie, Baronet, but by her had no issue.

3. Henry, who succeeded as third Earl of Stirling.
4. *John* of Gartmore, entered the University of Glasgow[1] in February 1630. On 23 April 1635 he got a joint appointment with his father as Master of Minerals and Metals in Scotland.[2] He cannot have then been much more than of age, but apparently by that time he had been made Master of the Mint, an office which he held till 1641, when he resigned,[3] probably because of ill health as a consequence of his having been imprisoned in the insanitary Tolbooth of Edinburgh on account of debt, if he is to be identified with that John Alexander who was liberated from that prison by warrant of Parliament 12 August 1641.[4] It is stated[5] that he died in the year last mentioned. If so, it must have been towards the very end of the year, as on 31 October his daughter Janet was charged to enter herself heir to her uncle Gilbert Graham in the lands of Gartmore; her mother is stated to be then deceased, but her father was apparently alive.[6] John Alexander married Agnes, only daughter of Robert Graham of Gartmore. She and her husband resigned certain lands of Gartmore and others in favour of her father-in-law, the Earl of Stirling, 23 January 1636, and they were erected into a free barony.[7]
5. *Charles*, entered the University of Glasgow in February 1632.[8] Not much is known about him except that he was a trustee on his father's estate for behoof of his creditors. He was dead before 30 March 1663,[9] having married, before 24 March 1645, Anna Drurie,[10] with issue at least two sons, *Charles*, who graduated in the University of Edinburgh 23 May 1655, and *James*,[11] who was alive in 1670.[12]

[1] *Munimenta Univ. Glasg.*, iii. 83. [2] *Reg. Mag. Sig.* [3] *Ibid.*, 30 September 1641. [4] *Acta Parl. Scot.*, 328. [5] Rogers's *Earl of Stirling*, i. 256. [6] Sheriff Court Books, Stirling. [7] *Reg. Mag. Sig.* [8] *Munimenta Univ. Glasg.*, iii. 85. [9] Gartmore Writs. [10] *Ibid.* [11] *Edin. Com. Decreets*, 4 March 1668. [12] Gartmore Writs.

6. *Robert*, matriculated in the University of Glasgow in 1634.[1] He died before June 1638.[2]
7. *Ludovick.* He had permission, 13 December 1634, to repair to France and to embark at any port with two servants.[3] This suggests that his health was delicate, and it is said that he died when quite young.[4]
8. *James*, matriculated at Glasgow in 1635.[5] He subsequently served in the Royalist Army, and was, in 1666, captain and lieutenant-colonel in His Majesty's Foot Guards.[6] He left the Army 2 December 1668, and died three years afterwards, being buried in the Greyfriars Churchyard, Edinburgh, 9 December 1671.[7] He married, first, 16 August 1656, Margaret, daughter of Captain David Scrimgeour, son of the first Viscount Dudhope.[8] She was buried at Holyrood in January 1662,[9] and he married secondly, about 1668, Grizel, daughter of James Hay, second son of George, second Earl of Kinnoull.[10] By his second wife he had a daughter *Margaret*, baptized 23 June 1669.[11]
9. *Jean*, married, 3 August 1623, in Kensington Church, to Hugh, afterwards second Viscount Montgomery of the Ards, Ireland.[12] He died at Newtown, Ireland, 15 November 1642, and she married, secondly, as his second wife, Major-General Robert Munro, second son of George Munro of Obsdale, and grandson of Robert Munro, fifteenth of Fowlis. He had a distinguished military career, and is supposed, together with Sir James Turner, to have afforded Scott a model for Dugald Dalgetty in the *Legend of Montrose*. His wife died in 1670,[13] but he survived for ten years or more, as he is mentioned as alive in 1680 in the will of Major William Buchanan of the Botown, Ireland.[14] He had no issue by his second wife.
10. *Margaret*, married, at Kensington Church, 20 July 1620, to William Murray, younger of Dunearn, who

[1] *Munimenta Univ. Glasg.*, iii. 87. [2] Baillie's *Letters*, i. 76. [3] *Reg. of Letters.* [4] Rogers's *Earl of Stirling*, i. 253. [5] *Munimenta Univ. Glasg.*, iii. 89. [6] Dalton's *Scots Army*, 15, 16. [7] Greyfriars' Burial Reg. [8] Gray's Inventory; cf. vol. iii. 313. [9] Canongate Reg., where she is called Jean. [10] Edin. Reg. [11] *Ibid.* [12] Kensington Par. Reg. [13] *Dict. Nat. Biog.* [14] Montgomery MSS., 415 *n.*, 63.

was created a Baronet 1630, and died in 1646.[1] The date of her death has not been ascertained.

11. *Elizabeth*, died, unmarried, in December 1642.[2]

II. WILLIAM, only son of William, Lord Alexander, was born about 1632, and succeeded his grandfather as second Earl in February 1640. But he only lived a few months longer, dying in May of the same year. He was succeeded by his uncle,

III. HENRY, third Earl of Stirling, third son of the first Earl. He entered the University of Glasgow in February 1626.[3] He appears to have inherited his father's fondness for the development of foreign trade, as on 14 October 1634, and again on 21 April 1636, he had, along with other partners, charters granting them the exclusive privilege for thirty-one years of trading with the coast of Africa.[4] He was, on 9 November 1636, admitted a burgess of Stirling,[5] and he held the appointment of Agent for the Convention of Royal Burghs. He died in 1650, having married, 9 December 1637, Mary, youngest daughter of Sir Peter Vanlore, Baronet, of Tylehurst. She proposed, according to a contemporary account, to Alexander, the day before she was to have been married to a Mr. Reade, that he should carry her off and marry her, as her affections were set on him and not on the bridegroom favoured by her family. The elopement was accordingly carried out, and they were married at Greenwich the same evening.[6] She survived him, and married, secondly, John Blount, colonel of His Majesty's Horse. The Earl had issue by his wife:—

1. HENRY, who succeeded as fourth Earl of Stirling.
2. *Mary*, married to Robert Lee of Binfield, Berks. She died *s.p.* before 12 April 1662.[7]
3. *Jane*, died, unmarried, after 14 January 1707, the date of her will, and before 1 March of that year when it was proved.[8]

IV. HENRY, fourth Earl of Stirling, was born about

[1] *Ex inform.* Keith W. Murray, Esq. [2] *Ibid.*, 19 December 1642. [3] *Munimenta Univ. Glasg.*, iii. 79. [4] *Reg. Mag. Sig.* [5] Stirling Burgh Records. [6] Strafford's *Letters and Dispatches*, ii. 141, 142. [7] *P. C. C.* [8] *Ibid.*

1633. He died in 1690, being buried on 11 February of that year at Binfield, where his two sisters are also interred.[1] He married, first (faculty licence 23 December 1663), Judith, daughter (or sister) of the abovementioned Robert Lee of Binfield; and, secondly, 20 November 1683,[2] Priscilla, daughter of Sir Hugh Windham, Bart., of Pilsden Court, and relict of Sir Robert Reynolds of Elvetham, who was knighted 4 June 1660,[3] and died September 1678. She, who was born 16 May 1626, died before 24 November 1691, when administration was granted on her estate.[4] By his first wife only the Earl had issue:—

1. Henry, who succeeded as fifth Earl.
2. *William*, born 28 December 1665, and died 7 March 1665-66.[5]
3. *William* (*secundus*), baptized 6 June 1667, and died 24 October 1699, when he is styled 'of Turvell.'[6]
4. *Robert*, baptized 9 September 1673, and died October 1710.
5. *Peter*, baptized 10 May 1677, and died the following year.
6. *Peter* (*secundus*), baptized at Binfield 23 March 1679,[7] and died in London, November 1729, being buried in St. Anne's, Westminster.[8]
7. *Mary*, married to John Philips. Her youngest but only surviving son, *William*, succeeded to the estate of Binfield, and took the name of Lee in addition to his own. She was buried at St. Anne's, Soho, 27 March 1721.
8. *Judith*, married, as his second wife, in October 1706, to Sir William Trumbull of Easthampstead Park, the statesman, and friend of Dryden and Pope. She died 8 July 1704.[9] He died 14 December 1716, leaving by his wife Judith an only son, whose present representative is the Marquess of Downshire.

V. Henry, fifth Earl of Stirling, was born 7, and baptized 14, November 1664, at Binfield. He frequently voted at the election of Representative Peers, but lived very much in

[1] Binfield Reg. [2] Faculty Licence 17 November. [3] Shaw's *Knights of England*. [4] *P.C.C.* [5] Binfield Par. Reg. [6] *Ibid.* [7] *Ibid.* [8] St. Anne's Burial Reg. [9] Le Neve's *Monumenta Anglicana*, 90.

retirement, probably owing to the early death of his wife, within five years of their marriage. He is recorded, however, to have gone to Court in 1733, having not been there since 1689. He died, *s.p.*, 4 December 1739, at Englefield Green, Surrey.[1] He married (Licence Vic.-Gen. 5 May 1690) Elizabeth, only surviving daughter and heir of Sir Edward Hoby of Bisham, Baronet, and widow of her cousin John Hoby, whom she had married in 1686; he was M.P. for Great Marlow for a short time before his death, which took place in December 1689.[2] She died 10 October 1694, aged twenty-seven, evidently to the great grief of the Earl, who directed in his will that her 'red velvet embroydered slippers' should be placed in his coffin.[3]

On the death of the fifth Earl the issue-male of the first Earl appears to have failed, and the Peerage became dormant. But in 1759 the title was assumed by William Alexander, Surveyor-General of the Province of New Jersey, latterly a major-general in the American Army, and one of Washington's favourite officers. He claimed the title as son of his father James Alexander, who was son of David Alexander 'in Muthil,' second son of Alexander Alexander 'in Millnab,' son of John Alexander 'in Gogar,' son of Andrew Alexander of Menstrie, alleged to have been father of Alexander Alexander and grandfather of the first Earl. None of the claimant's immediate ancestors had ever assumed the title; there was only one Andrew Alexander of Menstrie, and he was not the grandfather but the great-great-grandfather of the first Earl. William Alexander, however, got himself served heir to Henry, fifth Earl, 20 March 1759,[4] and assumed the title, but on his petition being remitted to the House of Lords 2 May 1760, it was decided, on 10 March 1762, that he had no right to the title till he had made out his claim, and he was prohibited from styling himself Earl of Stirling. But this he nevertheless continued to do, although as he lived in America it might be thought that a title was of no great value to him, a militant republican. He died at Albany 12 January 1793,[5] having married,

[1] M.I., Binfield Church. [2] *Complete Baronetage*, i. 35 *n*(*e*). [3] *Complete Peerage*, vii. 247 *n*(*c*). [4] Services of Heirs. [5] Wood's Douglas's *Peerage*, ii. 539.

about 1748, Sarah, daughter of Philip Livingston of Livingston Manor, U.S.A.[1]

The Peerage was again claimed under circumstances which created much interest at the time, and which culminated in a criminal trial. William Humphreys of the Larches, a Birmingham merchant, went to France along with his son Alexander in 1802, but was detained there by Napoleon, and died at Verdun in 1807. The son was not set free till 1814; in 1812 he had married a lady called Fortunata Bartoletti, who was an intimate friend of Mlle. Le Normand, a celebrated Parisian 'sibyl' of the day. He returned to England in 1814, and in the following year made known his claim to represent the Earls of Stirling through his mother Hannah, daughter of the Rev. John Alexander, a Presbyterian clergyman in Dublin. In 1824 he assumed by royal licence the surname of Alexander, and he voted at the election of a Representative Peer 2 June 1825, claiming his right to do so under an alleged novodamus of 7 December 1639, by which the remainder in the original patent was extended to heirs-female. He voted at other similar elections, and he created several 'Baronets,' asserting that his charter gave him a right to do so. He raised the necessary funds to admit of his prosecuting his claim by negotiating loans and issuing debentures on the American possessions to which he said he was entitled in the event of his right to the Peerage being proved. The Crown authorities raised an action of reduction of various services he had made as heir of the first Earl, and succeeded in getting them reduced by the Lord Ordinary. Further documents were then produced by the claimant, including a map of Canada of date 1703. The Court, however, ordered him to be judicially examined, and the result was that he was committed for trial on a charge of forgery. The trial took place on 29 April 1839 and lasted five days. It created the greatest interest, and public opinion was strongly in favour of the accused. The result was that the documents in question, the excerpt charter of novodamus, the map of Canada and others, were unanimously found by the jury to have been forged, but they took a lenient view of the matter and found it 'not proven' that the claimant had

[1] *The Livingstons of Callendar*, 408.

either forged the documents or issued them knowing them to be forged. The forgeries were quite clever, but as usual broke down when examined in detail; they were probably the work of Mlle. Le Normand above mentioned.

Creations.—Viscount of Stirling and Lord Alexander of Tullibody 4 September 1630; Earl of Stirling, Viscount of Canada and Lord Alexander of Tullibody 14 June 1633.

Arms (not recorded in the Lyon Register, but given in Peers' Arms ms. and Pont's ms.).—Quarterly: 1st and 4th, parted per pale argent and sable a chevron, and in base a crescent, all counterchanged, for *Alexander*; 2nd and 3rd, or, a galley oars in action sable, sails furled, flagged gules, between three cross crosslets of the last, for *Macdonald*; over all, on an escutcheon argent charged with a saltire gules, an inescutcheon crowned or, charged with a lion rampant within a double tressure flory counterflory gules, being the arms of Nova Scotia.

Crest.—A beaver proper.

Supporters.—Dexter, a red Indian girt about the head and middle with feathers proper, and holding in his right hand a dart feathered argent and tipped azure; sinister, a mermaid proper, holding in her right hand a mirror argent.

Motto.—*Per mare per terras.*

[J. B. P.]

MURRAY, VISCOUNT STORMONT

SIR ANDREW MURRAY, brother-german of Sir William Murray of Tullibardine[1] had Crown leases of Letter Bannachty in Strathearn from 1491[2] and onwards until 1510, when he was granted a feu of those lands.[3] He married, before 3 February 1498-99, Margaret Barclay, granddaughter and heir of James Barclay of Kippo,[4] and heir of Henry de Freslay of Arngask and Fargy.[5] She resigned her whole estates with consent of her husband into the King's hands in favour of their eldest son David, who was granted a charter of Arngask and Kippo, 21 January 1507-8.[6] Twenty years later she, her husband, and said son founded and endowed, by charter dated at the Castle of Balvaird 1 October 1527, a chaplainry in the parish church of Arngask, electing for themselves, their heirs and progeny to have free sepulture in the choir of the aforesaid church.[7] By his wife Sir Andrew had issue :—

1. Sir David, who succeeded.
2. *John*, vassal of his brother's lands of Conland and life lord of Pittillock,[8] both parts of the barony of Arngask. He had sasine of the former 8 May 1549, fol-

[1] See vol. i. p. 459 of this work. [2] *Exch. Rolls*, x. 708. [3] *Ibid.*, xiii. 646. [4] Writ at Drummond Castle. [5] *Reg. de Cambuskenneth*, 13. [6] *Reg. Mag. Sig.* [7] *Reg. de Cambuskenneth*, 34. [8] *Ibid.*, 17.

Stormont

lowing on a liferent charter from his elder brother of same date.[1]

Sir David Murray of Balvaird and Arngask, as son and heir of his mother, had the charter of Arngask and Kippo already referred to, and on her death inherited the half-lands of Wester Duddingston held of the Abbey of Kelso.[2] In 1547 he, with Strachan of Thornton, was appointed a Justiciar to try the Earl of Rothes, who was suspected of the murder of the Chancellor, the Archbishop of St. Andrews. He does not appear to have acted, except in signing the certificate, as the Earl was tried and acquitted by Strachan.[3] He is said to have died in 1550, having married, before 23 July 1524, Jonet Lindsay, who was probably daughter of Patrick, fourth Lord Lindsay of the Byres.[4] By her he had issue:—

1. Sir Andrew, who succeeded.
2. William, of Letter Bannachty, of whom afterwards.
3. *David*, parish clerk of Abernethy 1 November 1548;[5] Pensioner of the Bishopric of Brechin from 1557;[6] and of Little Ardit in Fife, a property acquired from his nephew Sir Andrew;[7] was one of the executors of his father,[8] and in the entail of Arngask.[9] He died before 20 July 1602, having married Margaret Kirkcaldy, by whom, who survived him, he left issue:—

   (1) *William*, of Little Ardit, minister of Crail in 1597; suspended 1624; appears as parson and vicar of Eassie and Nevay in Forfarshire 10 December 1633;[10] in the entail of Arngask.[11] He married, first, Janet Moncrieff, widow of Andrew Moncrieff, his predecessor,[12] and secondly, immediately after her death, which was in August 1623,[13] Helen Wood.[14] He had daughters. 1. *Janet*, who died before 1625, childless; and 2. *Margaret*, married to Arthur Myretoun of Pitollie.[15]

   (2) *Janet*, married, to Mr. John Stretton, minister at Foulis, contract dated 19 and 20 July 1602.[16]

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[1] Protocol Book of Alex. Gaw, f. 186. [2] *Laing Charters*, No. 396. [3] *Fourth Rep. Hist. MSS. Com.*, App. 504. [4] See vol. v. p. 396, of this work. [5] Protocol Book of Alex. Gaw, f. 56. [6] *P. C. Reg.*, iii. 362. [7] *Reg. Mag. Sig.*, 28 January 1583-84, where he is erroneously called *patruelis* of his said nephew. [8] Edinburgh Comm. Records, 14 February 1588-89. [9] *Reg. Mag. Sig.*, 26 September 1590. [10] Scott's *Fasti*, iii. 747. [11] *Reg. Mag. Sig.*, 28 January 1604. [12] *Acts and Decreets*, 241, f. 187. [13] Fife Sheriff-Court Books, 5 October 1624. [14] Scott's *Fasti*, ii. 417. [15] *Gen. Reg. Sasines*, xvii. f. 235. [16] *Perthshire Sasines, Sec. Reg.*, ii. 471.

(3) *Helen*, married to John Chrystison, burgess of Dysart, who died before 6 September 1611.[1]

Sir Andrew Murray of Balvaird and Arngask sat in Parliament in 1560,[2] was knighted before 12 December 1562,[3] and was on the assize of George, Earl of Huntly, for opposing the royal troops at Corrichie in that year. He died between 30 April 1572[4] and 23 July 1573,[5] having married, first, Margaret, daughter of John Ross of Craigie,[6] and with her had a charter of Lochton, Wilkeston, and Curhurly in the barony of Arngask, on the resignation of his father, which charter was confirmed 30 December 1541.[7] He married, secondly, Jonet Graham, daughter of William, second Earl of Montrose, to whom he granted in her virginity, 28 September 1542, the aforesaid lands in Arngask, she having another liferent charter of the same date from his father of other lands in the same barony.[8] By her he had issue:—

1. Sir Andrew, who succeeded.
2. Sir David of Gospertie, created Viscount Stormont, of whom afterwards.
3. *Robert*, Archdeacon of Dunkeld, in the entail of Arngask 1590. He died before 2 April 1617, leaving a natural son, David Murray of the Middletoun of Balbagies.
4. *Sir Patrick* of Binn, a Gentleman of the Privy Chamber, had, in consideration of his long service and as commissioner in the north parts of the kingdom, a grant of the manor, formerly the monastery, of Ferne, in Inverness-shire, incorporated into his barony of Geanies in 1598,[9] an estate he subsequently sold to Ross of Balnagown.[10] He was sworn of the Council 5 March 1601-2,[11] and sat regularly thereafter. About the same time he was constituted one of the Componitors of the Treasury,[12] and in 1603 the King gave him the cachet containing the letters of his name to be affixed to documents requiring the royal superscription.[13] On 9 June 1602 he and his wife had

[1] *Reg. Mag. Sig.* [2] *Reg. de Panmure.* [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.* [6] *Liber officialis S. Andree*, 97. [7] *Reg. Mag. Sig.* [8] *Ibid.*, 6 September 1548. [9] *Ibid.*, 1 February 1597-98; *Acta Parl. Scot.*, iv. 240, 11 November 1600. [10] *Ninth Rep. Hist. MSS. Com.*, pt. ii. App. 253. [11] *P. C. Reg.*, vi. 220. [12] *Ibid.*, 276, 292. [13] *Ibid.*, 560.

a charter of Balbyn and Drumcairn, incorporated in the barony of Binn, to be held to them, and failing their male issue, to his heirs-male bearing the name and arms of Murray of Balvaird.[1] He died at Binn 28 June 1603,[2] having married, 1 July 1598, Isobel, daughter of John Brown of Fordell, by whom he had an only child *Catherine*, who died young.[3] His widow, who died in October 1639,[4] married, secondly, Sir George Erskine of Innerteil, by whom she had issue.[5] Sir Patrick left a natural daughter, *Margaret*, who married William Spens, servitor to Lord Scone.[6]

5. *Elizabeth*, married (contract dated 1 September 1572) to David Balfour, son and heir-apparent of David Balfour of Balledmont, from whom they had a charter of certain lands in Fife.[7]

Sir Andrew Murray of Balvaird and Arngask had charters, on the resignation of his father, of the Park near Edinburgh, and of the baronies of Arngask and Kippo and other lands, 21 January 1572.[8] He had also charters of half Wester Duddingston 30 January,[9] of Priestfield 30 April same year,[10] and acquired from Alexander Hay his quarter of Ardit in Fife in 1578,[11] a property he sold in 1583 to his uncle David.[12] In 1579 he, with William Moncrieff, fiar of that Ilk, and Patrick Murray of Tibbermore, being at feud with Lord Oliphant and his son concerning the teinds of Dunbarny, Kirk Pottie and Moncreiffe, executed mutual bonds on 11 June at Balvaird, both parties undertaking to abstain from molesting each other, under a penalty of 20,000 merks,[13] all of them being subsequently ordered to appear on the 6 September before the Privy Council, to submit to an arrangement to be made on their behalf.[14] On 3 April 1589 he was appointed with others to

[1] *Reg. Mag. Sig.* [2] Will dated 20 June 1603, confirmed 17 January 1604 (Edin. Tests.). [3] Her uncle, Lord Scone, was served heir to her (*Browns of Fordell*, 111) and also, in 1606, to her father in the barony of Binn (*Retours, Perth*). [4] Test. dative confirmed 6 August 1640. St. Andrews Tests. *Browns of Fordell*, 113. [5] See v. 82 of this work. [6] *Reg. of Deeds*, 280, 28 January 1619. [7] *Reg. Mag. Sig.*, 8 July 1574. [8] *Reg. Mag. Sig.* [9] *Laing Charters*, No. 868. [10] *Reg. Mag. Sig.* [11] *Ibid.*, 29 November 1578. [12] *Ibid.*, 28 January 1584. [13] *P. C. Reg.*, iii. 183, 184. [14] *Ibid.*, 209.

convene at St. Andrews twelve days later, and inquire into the cause of the dissensions between members of the University and the citizens.[1] He appears to have been knighted about 1581, and in 1586 was one of the chief parties to a bond of association entered into by the Murrays.[2] Sir Andrew died 13 November 1590,[3] his will being dated 27 September of that year, and confirmed 13 July 1594,[4] having married Margaret, daughter of John Crichton of Strathurd (contract dated 23 July 1573[5]), by whom, who married, secondly, Sir Mungo Murray of Claremont,[6] he had issue:—

1. Sir Andrew, who succeeded.
2. *Anna*, wife of Mungo, second Viscount Stormont (see *post*, p. 196).
3. *Margaret*, married, 17 October 1598,[7] to William Myreton of Cambo, and died August 1620, leaving issue; testament confirmed 17 November following.[8]

Sir Andrew Murray of Balvaird had a charter of Arngask on the resignation of his father, with special entail in favour of other members of the family,[9] and another of the same barony with a new entail 28 January 1604.[10] In 1598 he subscribed a bond of association, entered into by the Murrays, as one of the chief parties thereto.[11] He sat on the Council in 1599,[12] and the same year had a charter of Letter Bannachty on the resignation of his cousin David Murray, with a special remainder.[13] In the entails of his uncle Lord Stormont's estates, he is mentioned first, as also in the remainders to the lordship of Scone, viscountcy of Stormont, and several baronies. Balvaird figured conspicuously in the feud between the Murrays and Lundies brought about by the slaughter of a John Murray by David Lundie, brother of Lundie of Gorthy, who in turn was slain by Balvaird. The feud was submitted to arbitration in 1600, and again in 1602 to the King.[14] He was knighted in 1606,[15] and was appointed a Commissioner to represent the

[1] *P. C. Reg.*, iv. 370. [2] See i. 468 of this work. [3] Lamont, 228. [4] Edin. Tests. [5] *Reg. Mag. Sig.*, 6 June 1574. [6] See i. 466 of this work. [7] Lamont, 229. [8] St. Andrews Tests. [9] *Reg. Mag. Sig.*, 26 September 1590. [10] *Ibid.* [11] See i. 468 of this work. [12] *P. C. Reg.*, vi. 62. [13] *Reg. Mag. Sig.*, 19 November 1599. [14] *P. C. Reg.*, vi. 83, 467. [15] *Reg. Mag. Sig.*, 30 May and 8 August 1606.

King in the Synod of Perth.[1] Sir Andrew was admitted of the Council on a letter from the King dated 1 January 1608,[2] was present at the Convention of Estates 20 May following,[3] and the great Convention 27 January 1609.[4] He was appointed a Justice of the Peace for Fife and Kinross 6 November 1610, 6 October 1613, and again 24 August 1614, for the same sheriffdom and the stewartry of Fife.[5] Retoured heir of his great-grandfather, Sir David, in the barony of Arngask 15 August 1615.[6] In 1617 he was nominated for the barons on the Commission for the Plantation of Kirks,[7] and 4 August 1621 on the Coinage Commission.[8] Some two years later the King having expressed a desire that a conference should be held to determine the best way of exporting Scottish wool to England, Balvaird was nominated a deputy of the commissioners for Scotland, and proceeded with John Hay to London in February 1623, but after four months the negotiations collapsed.[9] On 17 July in that year he was appointed a member of the Standing Commission of Manufactures.[10]

Sir Andrew died in December 1624, having married (contract dated 18 and 19 April 1600) Katherine daughter of Sir William Menteith of Kers.[11] She married, secondly, before 5 May 1629, Sir George Auchinleck of Balmanno, a Senator of the College of Justice. Leaving no issue, he was succeeded in his estates by his uncle, Lord Stormont, formerly

I. Sir David Murray of Gospertie, who entered the King's household and was appointed a Master of the Stable in 1584, and on 8 October of that year had a charter of the barony of Collenows in Perthshire.[12] He also acquired property in Auchtermuchty in Fife,[13] and owing, it is said, to his raising the rents there, the inhabitants set upon him and his retinue in 1588, and in the fight Murray lost a finger of his right hand.[14] Three years later he disposed of a great part of that estate,[15] and gradually sold the whole of it.

[1] *P. C. Reg.*, vii. 343. [2] *Ibid.*, viii. 41, 488. [3] *Ibid.*, 93. [4] *Ibid.*, 231. [5] *Ibid.*, ix. 78, and x. 156, 265. [6] *Fife Retours.* [7] *Acta Parl. Scot.*, iv. 531; and see *P. C. Reg.*, xi. 242. [8] *Ibid.*, 629. [9] *P. C. Reg.*, xiii. 172; see *Memorials of the Earls of Haddington*, ii. 224, for their passport. [10] *Ibid.*, 346. [11] *Reg. Mag. Sig.*, 13 May 1618. [12] *Reg. Mag. Sig.* [13] *Ibid.*, 23 September 1586 and 15 September 1587. [14] *P. C. Reg.*, iv. 335-337. [15] *Reg. Mag. Sig.*, 28 October 1591.

On the death of his eldest brother he became Tutor of Balvaird. He was knighted between 10 December 1598, and about 26 April 1599.[1] Calderwood says he was one of the courtiers who tried to 'kindle a fire' between the Octavians and the Kirk.[2] Sir David was appointed Comptroller 26 April 1599 in the place of Home of Wedderburn, and the same day was sworn of the Council,[3] the same year Comptroller and Steward of the Stewartry of Fife,[4] and in 1602 was present in the Convention of Estates.[5] He was with the King during the Gowrie conspiracy, and did much to quell the disturbance following the death of the Earl, and helped to get the King in safety to Falkland, being afterwards granted some of the Ruthven estates. On 2 March 1601 he had a charter of the barony of Segy in Kinross-shire,[6] and in May was on the commission appointed by the Assembly of the Kirk to formulate a scheme for the proper support of the Kirk and clergy in Scotland.[7] He was appointed a Comptroller of the Treasury 31 July 1601[8] (an office he resigned in 1608[9]), and on 17 November following on a Commission for arranging an agreement between the Edinburgh bailies and the strangers imported for making cloth.[10] In 1602 (6 February) he had charters of Glendoick in Perthshire,[11] and 18 August of Balmblae and other lands in Fife.[12] He accompanied the King to England, 1603, and on 11 August of that year was made captain of the King's Horse Guards in Scotland, consisting of forty horse raised chiefly with the object of apprehending malefactors and to act under the orders of the Privy Council.[13] Sir David was created, 7 July 1604,[14] LORD SCONE during the Parliament which met the 3 of that month, and on the 11 following, the day on which it rose, was appointed a commissioner for the Union, and signed the treaty.[15] An Act was drafted 4 February 1604-5 for dissolving the abbacy of Scone and to empower the King to erect a temporal lordship to be called the lordship and barony of Scone, in favour of David, Lord Scone, and the heirs-male of his body, which failing, to Andrew

[1] *Reg. Mag. Sig.*, 28 October 1591. [2] Calderwood, v. 510. [3] *P. C. Reg.*, v. 552. [4] *Ibid.*, vi. 61. [5] *Ibid.*, 62, 344. [6] *Reg. Mag. Sig.* [7] Calderwood, vi. 119. [8] *P. C. Reg.*, vi. 276. [9] *Ibid.*, viii. 127. [10] *Ibid.*, vi. 309. [11] *Reg. Mag. Sig.* [12] *Ibid.* [13] *P. C. Reg.*, vi. 581. [14] Sir John Forman's MS., with additions by Workman. [15] *P. C. Reg.*, vii. xxxiv., and 5 *n.*

Murray of Balvaird with like remainder.[1] This act was read, voted and passed 9 July 1606.[2] In June 1605 Scone was appointed a commissioner to Kintyre for receiving the obedience of the chiefs of clans in the South Isles, and to collect the Crown rents;[3] January 1606 an assessor for the trial of the ministers concerned in the insubordinate Aberdeen Assembly of the previous year; retoured heir 5 March 1606 of his brother Sir Patrick in the barony of Binn,[4] and 30 May had a new charter of Segy with the office of forester of Falkland, with remainders therein named.[5] On 5 November 1607 the Council wrote charging him with neglect as Captain of the Guard in not trying to apprehend the Earl of Caithness and the Laird of Edzell, and ordered him again into Angus for that purpose.[6] The following month he was also directed to take the notorious Lord Maxwell, who had escaped from Edinburgh Castle.[7] About 18 February 1608 the comptrollership was transferred from him to Sir James Hay of Kingask,[8] and the same year he had to defend himself against some mischievous accusations made by his chamberlain, Andrew Henderson of Latoun, a person who had figured conspicuously in the Gowrie conspiracy.[9] By charter dated 24 July 1608[10] the King, under the Act of 1606, incorporated the lands and monastery of Scone (formerly Lord Gowrie's) into the temporal lordship and barony of Scone, giving the dignity of a Baron and Lord of Parliament, with the title of LORD OF SCONE, to him and the heirs-male of his body, and extending the limitation to his nephew, Andrew Murray of Balvaird, with like remainder.[11] The limitations of this title, however, were further extended in tail male 29 April 1612,[12] as follows:—after Scone's heirs as aforesaid to (1) his nephew, the said Sir Andrew Murray of Balvaird; (2) his kinsman, Sir Mungo Murray of Drumcairn, brother-in-law to the said Sir Andrew; (3) John Murray of Reidkirk,[13] afterwards first Earl of Annan-

[1] Mansfield Writs. [2] *Acta Parl. Scot.*, iv. 328. [3] *P. C. Reg.*, vii. 59, etc. [4] *Perth Retours.* [5] *Reg. Mag. Sig.* [6] *P. C. Reg.*, viii. 485. [7] *Ibid.*, 19. [8] *Reg. Mag. Sig.* [9] Pitcairn's *Criminal Trials*, ii. 321 *et seq.*, where Henderson's letter to the King, also Scone's and Balvaird's are given *in extenso.* [10] *Reg. Mag. Sig.* [11] Sasine thereof 16 September following (Mansfield Writs). [12] *Reg. Mag. Sig.* [13] Of the house of Cockpool, but his relationship, if any, to Lord Scone is not known. Scott in his *Staggering State* says he was Scone's friend at Court.

dale; (4) Gilbert Murray, afterwards of Binn, eldest son of his cousin David of Balgony; (5) Andrew, second son of the said David, and later created Lord Balvaird; (6) William, afterwards Sir William Murray of Claremont, brother uterine of the said Sir Andrew of Balvaird,[1] with remainder to the heirs-male of Lord Scone bearing the name and arms of Murray of Balvaird.

He was on the assize at the trial of Lord Balmerino 10 March 1609;[2] in May the same year was present as a commissioner for the King at the conference on the 'second caus of Eylasts in the Kirk';[3] and 8 October appointed one of five to advise means for the preservation of the dilapidation of bishoprics.[4] When the Privy Council was reconstructed, 20 January 1610, he was elected a member, the number being limited to thirty-five.[5] On 20 February he had a charter of the barony of Elcho, containing the suppressed monastery;[6] was made, 6 November, a commissioner for keeping the peace in Fife and Kinross-shire;[7] and 15 same month appointed to assist the deputy of Lord Dunfermline, the new Chancellor, during the Earl's absence, and to countersign signatures, gifts, etc., that were to pass the Great Seal,[8] and also an assessor to Lord Dunbar in the conjoined offices of treasurership, comptrollership, and collectorship, and to assist his deputy during the Earl's absence at Court. In May 1611 the Privy Council disbanded the King's Guard as being of no further use,[9] but on 11 July passed a new Act for employing some of that body to be levied again under Lord Scone,[10] who was, however, succeeded shortly after, as captain, by Sir Robert Ker of Ancrum, the Council recording its appreciation of his lordship's conduct while holding that office.[11] He had a charter, 29 April 1612, of the lordship and barony of Drumduff, in which many of his lands were incorporated, including Balmblae and Gospertie, with remainders in tail male to certain persons therein named bearing the surname and arms of Murray of Balvaird.[12] Towards the end of this year he was unjustly ac-

[1] See i. 467 of this work. [2] Pitcairn's *Criminal Trials*, ii. 574. [3] *P. C. Reg.*, viii. 281 *n.* (and Calderwood). [4] *Ibid.*, 600. [5] *Ibid.*, 815. [6] *Reg. Mag. Sig.* [7] *P. C. Reg.*, ix. 78. [8] *Ibid.*, 85, and *Ninth Rep. Hist MSS. Com.*, pt. ii. App. 251. [9] *P. C. Reg.*, ix. 174. [10] *Ibid.*, 213. [11] *Ibid.*, 367. [12] *Reg. Mag. Sig.*

cused by Lord Balfour of Burley of being the author of his disgrace at Court,[1] and in consequence of the situation thus created, the Council intervened, ordering both to find caution not to quarrel or challenge one another.[2] Balfour disobeying the order was committed to Edinburgh Castle, but a reconciliation being brought about, was released.[3] On 15 June 1613 he had a charter of the lordship of Balquhidder,[4] resigned by the Earl of Tullibardine and his son, an estate subsequently, 26 January 1619, granted to Sir Mungo Murray of Drumcairn and his wife under redemption by Lord Scone.[5] He was appointed a commissioner of the peace for Perthshire and stewartries of Menteith and Strathearn 12 November 1613,[6] for Fife, Kinross, and stewartry of Fife 24 August 1614,[7] and was one of the assize who convicted the Earl of Orkney 1 February 1615.[8] During the sitting of the General Assembly at St. Andrews the Earl of Haddington and he presided for the King 25 November 1617, and they, with Lord Carnegie, were appointed High Commissioners in the Assembly to meet at Perth on 25 August 1618.[9] As Messenger from the King he was present at the famous three days' conference held at St. Andrews in November 1619 in connection with the opposition to the Perth Articles, which ended without result.[10] Having been chosen Provost of Perth in that year against the tenor of an Act of Parliament, he was summoned before the Council,[11] and on 9 December his election was declared to be null and void.[12] In the last Scottish Parliament of King James, held from 25 July 1621, he was elected a Lord of the Articles, and voted for the ratification of the Five Articles 4 August following. On the evening of that 'Black Saturday' the Dean of Winchester, who had been watching the proceedings on behalf of the King, left Scotland to convey the news of the ratification to the King. Scone, who had also started on the same errand, arrived first, but was forestalled by a letter to His Majesty from the Clerk Register.[13] For his services to the Crown, particularly, it was said, on account of the active part he took in this business, Scone was raised in the Peerage,

[1] *P. C. Reg.*, ix. 506 *n.* [2] *Ibid.*, x. 60 (25 May 1613). [3] *Ibid.*, 62, 92. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *P. C. Reg.*, x. 168. [7] *Ibid.*, 265. [8] Pitcairn's *Criminal Trials*, iii. 316. [9] Gordon's *Scots Affairs*, ii. 44. [10] Calderwood, vii. 397. [11] *P. C. Reg.*, xii. 120. [12] *Ibid.*, 142. [13] *Ibid.*, 562 *n.*

being created, 16 August 1621, VISCOUNT OF STORMONT, with the same limitations as in the charter of the lordship of Scone of the 29 April 1612. Lord Stormont was one of those appointed, 23 March 1624, to sit on the Commission for Grievances,[1] and 19 July 1625 a commissioner to make infeftments of lands in Nova Scotia to persons nominated by Sir William Alexander, with or without the title of baronet.[2] In 1626 (25 October), he was made a commissioner for searching out of papists and punishing receivers of Jesuits,[3] and 17 January in regard to illegally acquired benefices, hereditary offices, etc.[4] He disponed, in 1627, to Mungo, Master of Stormont, and his heirs-male and of entail, his lordship of Stormont, reserving his liferent therein, as also the lordship of Scone and the barony of Scone, formerly Gowrie.[5] By charter dated 4 December 1630, the barony of Glendoick and other lands on his resignation were granted to his kinsman Andrew Murray of Balvaird, in tail male with remainders over.[6] Lord Stormont, whom his contemporary, the embittered Sir John Scott of Scotstarvet, considered an ignorant man, but admitted that he 'got great business effectuated,'[7] died at Scone on 27 August 1631, and was buried, 23 September, in the old church there, where a magnificent monument was erected to his memory. He is represented in armour kneeling before an altar, supported on either side by armed figures supposed to represent the Earls Marischal and Tullibardine. He married (contract dated 4, 6, and 10 February 1604) Elizabeth, daughter of James Betoun of Creich, but by her, who died 21 January 1658, had no issue, and was succeeded by

II. Sir Mungo Murray of Drumcairn, second Viscount Stormont, a younger son of John, first Earl of Tullibardine.[8] He had a charter, 16 June 1605, of the Inch of the loch of Forfar, on which stood the chapel of St. Margaret the Queen,[9] and about that date was knighted.[10] On 11 May 1607 he was granted a feu-ferm charter of the free tenandry of Bambreich, including Huntingtower,[11] which he surrendered

[1] *P. C. Reg.*, xiii. 220. [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] *Ibid.* [5] Mansfield Writs. [6] *Reg. Mag. Sig.* [7] *Staggering State*, 114. [8] See i. 470 of this work. [9] *Reg. Mag. Sig.* [10] Between 30 May 1606 and 13 February 1607, *Reg. Mag. Sig.* [11] *Ibid.*

to the King in 1613.[1] He was appointed a commissioner of the Peace for Perthshire 5 November 1610,[2] 11 November 1613 for the said shire and stewartries of Menteith and Strathearn,[3] a Justice of the Peace for the same districts 20 August 1623;[4] and 9 March 1625 Keeper of the Forest of Glenalmond.[5] He was a Gentleman of the Privy Chamber.[6] In 1631 he succeeded to the viscountcy of Stormont and lordship of Scone under the special remainder contained in the charters of creation of 1612 and 1621, having been styled Master of Stormont from the latter date. In 1634 (21 October) he was made a commissioner to punish receivers of Jesuits.[7] After subscribing the Covenant, he entered into a bond, August 1640, with the Marquess of Montrose and others to maintain and defend religion, crown, and country, and mainly the Covenant.[8] Lord Stormont died in 1642, before 11 March, having married, first, Anna, sister and co-heir of Sir Andrew Murray of Balvaird (who died in 1624), and niece of the first Viscount. She died at Scone 26 April 1639, having executed a will 17 October 1634.[9] He married, secondly (contract dated at Edinburgh 18 October 1639[10]), Anna, daughter of John, first Earl of Wemyss, and relict of Alexander Lindsay, eldest son of David Lindsay of Edzell. She died 20 September 1643. Leaving no male issue,[11] the title passed to

III. James Murray, second Earl of Annandale, who as son and heir of the deceased Earl of Annandale, formerly John Murray of Reidkirk, succeeded as third Viscount Stormont.[12] He died in London 28 December 1658, and was buried at Ruthwell (will dated 28 November 1658[13]), having married (contract dated at Leuchars 14 June 1647) Jean Carnegie, daughter of James, Lord Carnegie, afterwards Earl of Southesk,[14] but by her, who married, secondly, David, Lord Balvaird, Annandale's successor in the titles of Stormont

[1] *P. C. Reg.*, x. 125. [2] *Ibid.*, ix. 78. [3] *Ibid.*, x. 168. [4] *Ibid.*, xiii. 347. [5] *Ibid.*, 707. [6] Carlisle's *Gentlemen of the Privy Chamber*, 128. [7] *Reg. Mag. Sig.* [8] *Ninth Rep. Hist. MSS. Com.*, pt. ii. 257. [9] Confirmed St. Andrews 13 January 1640. [10] *Memorials of the Family of Wemyss*, i. 233 *et seq.* [11] He had a daughter Anna Murray, presumably illegitimate, who married John Littlejohn, stewart clerk of Fife (*Fife Sasines*, ix. 130). [12] See i. 228 and 229 of this work for an account of him. [13] Mansfield Writs. [14] *Ibid.*

and Scone, he had no issue. The title passed to a descendant of

WILLIAM MURRAY of Letter Bannachty, a younger son of Sir David of Balvaird and Arngask,[1] who had from his brother-german, Sir Andrew Murray of Balvaird and Arngask, a charter of the lands of Letter Bannachty in Strathearn, which grant was confirmed 10 December 1553.[2] He had charters of other lands,[3] in one of which, confirmed 4 March 1564-65, he is styled *servitor Reginæ*.[4] In 1586 he subscribed the bond of association executed by the Murrays,[5] and in 1588 was the collector, for the stewartry of Strathearn, of the tax imposed on the lesser barons for the reparation of Edinburgh Castle.[6] He died 6 March 1588-89,[7] having married (papal dispensation recited and confirmed 5 February 1556-57[8]) Barbara, daughter of David Pitcairn of that Ilk and Forthar, to whom he granted in her virginity, 2 June 1557, an annualrent out of the mains of Rosyth.[9] By her, who survived him, dying before 30 July 1613, he had issue:—

1. DAVID, who succeeded him.
2. *Andrew*, witness to a charter in 1579 at Dunfermline,[10] was living in 1613.
3. *Margaret*, married to Alexander, son and heir-apparent of Alexander Balcanquhal of that Ilk (antenuptial charter dated 4, and confirmed 19 November, 1581[11]). She survived her husband, and was living in 1629. They had issue.
4. *Elizabeth*, married to Alexander Tosheach of Monivaird (contract dated 29 November 1576[12]). She died before 1614.
5. *Bethia*, married to William Murray of Ochtertyre, after 18 July 1582, when she had a liferent charter from his father in her virginity of Easter and Wester Dollarie.[13] Both were living, with issue, in 1632.
6. *Christian*, married to Henry Kinross, portioner of Cambushinnie, contract dated at Falkland 6 July 1591. She died before 1613, leaving issue.

[1] See *ante*, p. 187. [2] *Reg. Mag. Sig.* [3] *Ibid.*, 1 November 1573. [4] *Ibid.* [5] See i. 468 of this work. [6] *P. C. Reg.*, iv. 297. [7] Testament-dative 20 December 1595; *Edin. Comm.* [8] *Laing Charters*, 663. [9] *Ibid.*, 671. [10] *Reg. Mag. Sig.*, 27 December 1580. [11] *Ibid.* [12] *Ibid.*, 19 December 1576. [13] *Ibid.*, 21 July 1582.

David Murray of Letter Bannachty, afterwards of Balgony,[1] Kippo,[2] and finally of Binn. The first-mentioned estate, which he had from his father,[3] he resigned in favour of his cousin Andrew Murray of Balvaird, who obtained a new charter thereof 19 November 1599,[4] to himself with certain remainders, including the said David. After holding Balgony and Kippo he acquired Binn from the Viscount and the Master of Stormont, and had a charter of that barony under the Great Seal 3 November 1625.[5] He died before 29 November 1627,[6] having married Agnes, daughter of Sir William[7] Moncreiffe of that Ilk, by whom he had issue:—

1. *Gilbert*, of Binn, a remainder in the entails of Drumduff, and lordship of Scone, 1612; lordship of Balquhidder 1619; viscountcy of Stormont 1621, and barony of Feddells 1623, but was omitted in the later entail of the lordship and barony of Scone in 1631; was retoured heir of his father 18 April 1629,[8] in the barony of Binn, including Drumcairn, which he resigned in favour of his brother William in 1635.[9] He was living in February 1645, when he was acting as a tutor testamentary under the will of his nephew David, Lord Balvaird.[10]
2. Andrew, first Lord Balvaird, of whom afterwards.
3. *William*, of Drumcairn, who, on the resignation of his brother Gilbert, had a charter of Binn, including Drumcairn, 1635; was in the entail of that barony 3 November 1625,[11] and of Drumduff 1632. He died before 25 August 1663, having married (contract dated 18 June 1636) Elizabeth, daughter of Sir Michael Balfour of Denmilne, to whom he gave a liferent charter of his lands of Binn in contentment of her terce of Drumcairn.[12] They had issue:—

   (1) *Andrew*, of Binn, retoured heir of his father 25 August 1663.[13] On his death, unmarried, in 1677, his sisters were served heirs-portioners in his barony.

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[1] *Reg. Mag. Sig.*, 28 January 1604; *Laing Charters*, 1588. [2] Which he sold to Dr. David Philp in 1623; *Reg. Mag. Sig.*, 1 August 1624, and Lord Mansfield's Writs. [3] *Reg. Mag. Sig.*, 14 January 1588-89. [4] *Ibid.* [5] *Ibid.* [6] *Ibid.* [7] Macfarlane's *Gen. Coll.*, i. 42, 44. [8] *Perth Retours.* [9] *Reg. Mag. Sig.*, 21 December 1635. [10] Lord Mansfield's Writs. [11] *Reg. Mag. Sig.* [12] *Ibid.*, 11 July 1636. [13] *Perth Retours.*

(2) *Jean*, married, 29 December 1567,[1] to John Rigge, minister at Strathmiglo, formerly, 1655, minister at Ferry-Port-on-Craig,[2] and died July 1711.

(3) *Katherine*, married to her first cousin Sir John Murray Drumcairn, a Lord of Session. (See *post*, p. 202.)

(4) *Marjory*.

4. *David*, a remainder in the entails of Binn 1625, Drumduff 1630, Arngask and Drumduff 1632.
5. *Catherine*, married to John Arnot of Freirton.[3]
6. *Christian*, living 1633, seised of an annualrent out of Kincraigie.[4]
7. *Isobel*, married, as first wife, to John (afterwards Sir John) Brown of Fordell, and died within a year and a day of her marriage, whereby her tocher was repaid to her brothers. Testament-dative confirmed 27 October 1636.[5]

Andrew Murray, second son of David of Letter Bannachty and afterwards of Binn, graduated at St. Andrews 1618, and was settled minister of Abdie in 1622.[6] He was one of the remainders in the entail of the lordship of Scone 1612, and of the viscountcy of Stormont 1621, to which his eldest son succeeded; as also in various baronies and lands already mentioned. In virtue of a settlement made by the first Viscount Stormont in 1625 he was thereafter designed apparent of Balvaird, and on the death of Lord Stormont he succeeded to that property, being granted a charter 14 July 1632,[7] of the baronies of Arngask, including Kippo, Drumduff and other lands to himself and the lawful heirs-male of his body, whom failing, to Mungo, Viscount of Stormont, and his lawful male issue by Dame Anne Murray his wife, with remainder to the following in tail male—William Murray, the said Andrew's brother-german; Gilbert Murray of Binn (his elder brother); Sir William Murray of Claremont; David Murray (another brother-german), and the heirs-male of the said Viscount and Mr. Andrew bearing the name and arms of Murray of Balvaird. During the visit of the King in Scotland for the purpose of his coronation in the summer of 1633 Balvaird received the honour

[1] Scott's *Fasti*. [2] Lamont, 88. [3] *Reg. Mag. Sig.*, 25 July 1629. [4] *Fife Sasines*, viii. 20. [5] *Browns of Fordell*, 41, 128. [6] Scott's *Fasti*, ii. 467. [7] *Reg. Mag. Sig.*

of knighthood.[1] In 1637[2] he acquired Pitlochie in Strathmiglo and other lands in Fife. At a meeting of the General Assembly at Glasgow, although not a member of it, he was conspicuous on behalf of the King's proposals, and the same year, 1638, subscribed the Covenant, and was nominated a commissioner for obtaining signatures to the King's Covenant. His name appears among those in favour of the libel drawn up against the Bishops, but it is said that he did not concur with it, and that some of those on the list did not know of it.[3] On the death of his cousin Mungo, Viscount Stormont, he was retoured his heir,[4] having been previously, 17 November 1641, created, for his services to the Crown, LORD BALVAIRD, to him and his heirs-male. Lord Balvaird died 24 September 1644, aged about forty-seven,[5] testament confirmed 22 June 1653,[6] having married (contract dated 30 April 1628) Elizabeth, daughter of David, Lord Carnegie, afterwards Earl of Southesk, by whom he had issue:—

1. David, second Lord Balvaird.
2. *Sir Andrew* of Murrayshall, Inchmurray, and sometime of Pitlochie, an estate his eldest brother ratified to him in 1645 as a provision made by his father,[7] and infeft him in it and Bannachty 25 July 1657. He was knighted before 21 June 1659. Having disponed Pitlochie to Scott of Pittedie[8] about 1673, he acquired Murrayshall in Perthshire, and in 1692 he, his second wife and their eldest son were seised of the barony of Inchmurray, also in Perthshire.[9] He died in December 1705,[10] having married, first, at Edinburgh, 17 September 1657, Anna Menteith, by whom, who died in 1666, buried 30 June of that year in Greyfriars burying-ground, Edinburgh, he had issue:—

   (1) *Andrew*, of Murrayshall, now represented by Lieut.-Colonel Henry Stewart Murray-Graham of Murrayshall.

Sir Andrew married, secondly (contract dated at

[1] *Penes* Shaw's *Knights* the date was 15 July; Balfour in his *Historical Notes*, iv. 364-367, says 18 June. [2] *Reg. Mag. Sig.*, 3 July 1637. [3] Gordon's *Scots Affairs*, i. 43, 109, 127. [4] Lord Mansfield's Writs. [5] Scott's *Fasti*, ii. 467. [6] *St. Andrews Comm.* [7] Lord Mansfield's writs. [8] *Reg. of Deeds*, Mackenzie, 3 June 1674. [9] *Gen. Reg. Sasines*, lxiv. 127. [10] Testament, 29 April 1707 (*St. Andrews Comm.*) and 7 August 1722 (*Edin. Comm.*).

Perth 7 April 1671[1]), Rebecca, eldest daughter of James Cheap of Rossie, by whom he had:—

(2) *James*, of Inchmurray, who died in December 1732.

(3) *William*, of Inchmurray, served heir-special of his brother James in certain lands in Perthshire 8 February 1733. He died in 1742,[2] having married Alison Cheap, by whom he had a daughter *Rebecca*, married to George Shaw, merchant in Perth.

(4) *Catherine*, married to James Balnavis of Glencarse, sometime of Kirkland.

(5) *Barbara*.

3. *James*, Doctor of Medicine in Perth, who died in 1682; will dated 28 November 1678, confirmed 30 April 1684;[3] having married Helen Stewart, by whom he had a daughter,

Jean, married (contract dated 30 September 1697) to Robert Carmichael of Balmblae, Doctor of Medicine in Edinburgh, who died 5 March 1722; testament-dative confirmed 5 June following.[4] They had issue.[5]

4. *Sir John*, of Drumcairn, sometime Tutor of Stormont, was nominated an Ordinary Lord of Session in 1681; elected a commissioner for the county of Perth to the Parliaments of 1685 and 1686; nominated a Lord of the Articles same year, and a Lord of Justiciary 1687.[6] The heirs-portioners of Binn disponed that barony to him in 1667, and he was seised of the barony of Cumnock in Ayrshire 1679.[7] He was patron of the Kirk of Strathmiglo.[8] Sir John died about 1704, having married, at Edinburgh, 1 January 1673, his first cousin Katherine, daughter of William Murray of Drumcairn (*ante*), by whom he had issue:—

(1) *John*, of Drumcairn, only son, who was seised of his father's baronies of Drumcairn and Binn, and other lands in Perth and Fife, in 1704.[9] On his death in February 1739 his cousin Lord Stormont was served heir of provision special in his estates in Perth and Fife.

(2) *Elizabeth*, baptized at Edinburgh 19 December 1676, married, as his first wife, to Francis, Earl of Moray.[10]

(3) *Catherine*, baptized at Edinburgh 22 April 1679.

5. *William*, admitted advocate 31 January 1665, buried in

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[1] *Reg. of Deeds*, Mackenzie, 6 December 1689. [2] Testament, 13 December 1749; *St. Andrews Comm.* [3] St. Andrews Tests. [4] Edin. Tests. [5] See iv. 567 of this work. [6] Brunton and Haig. [7] *Gen. Reg. Sasines*, xlii. f. 4. [8] *Reg. of Deeds*, Mackenzie, 22 December 1699. [9] *Gen. Reg. Sasines*, 2 June 1704. [10] See vi. 324 of this work.

Greyfriars, Edinburgh, 8 February 1685. Testament confirmed 11 June 1683.[1]

6. *Katherine.*
7. *Marjory*, married, 10 June 1651,[2] to Sir Alexander Gibson of Durie, and died at Perth 6 August 1667.[3] Sir Alexander, who predeceased her at Durie on 6 August 1661, aged about thirty-two, was buried in Scoonie Kirk.[4] They had issue three daughters.
8. *Barbara*, married to Patrick eighth Lord Gray,[5] and had an only daughter *Marjory*, who married her cousin John Gray of Crichie, afterwards ninth Lord Gray, postnuptial contract dated 26 February 1683.[6]

IV. David, second Lord Balvaird, was served heir of his father 9 February 1648;[7] and 25 April 1662 as heir of taillie to his kinsman Mungo, Viscount Stormont, of lands in the lordship of Scone.[8] He was fined £1500 under Cromwell's Act of Grace and Pardon 1654, but was on the Cross of Edinburgh when the Protector was proclaimed chief magistrate of the three nations 15 July 1657.[9] On the death of James, Earl of Annandale, he succeeded to the titles of Lord Scone and Viscount Stormont by virtue of the special remainder in the charters creating those titles, and a few years later obtained a reduction of the service of the Earl to Mungo, Viscount Stormont, for having contravened the provisions of the entail, in the Court of Session 27 February 1662, and was served heir of taillie to the said Viscount as stated above. In 1661 he was a prisoner under the charge of the Sheriff of Bedfordshire on account of the death of the Master of Gray, which was said to have been the result of an encounter and not of a duel.[10] He had charters of Reidkirk 5 March 1663, and of his whole estates in the counties of Dumfries, Fife, and Perth in 1666, erecting them into the viscountcy of Stormont, lordship of Balvaird, Cockpool, Lochmaben, and Scone. Lord Stormont died 14 July 1668,[11] being but a young man,[12] and was

[1] Edin. Tests. [2] Proclamation at Dundee 11 May 1651. [3] Lamont, 199. [4] *Ibid.*, 138. [5] See iv. 291 of this work. [6] *Reg. of Deeds*, Mackenzie, 8 May 1683. [7] Lord Mansfield's Writs. [8] *Perth Retours.* [9] *State Papers, Dom., Charles II.*, 10, 667. [10] Lamont, 99, and *Cal. State Papers, Dom.* [11] Testament-dative confirmed 24 May 1703; *St. Andrews Comm.* [12] Lamont, 207.

buried at Scone, having married, at Kinnaird, 9 August 1659, Jean, Countess-Dowager of Annandale, daughter of James, Earl of Southesk, and widow of the aforesaid James, Earl of Annandale, on whose death Lord Stormont succeeded not only to the titles above-mentioned, but to a great part of his estate, said to have been 12,000 merks a year, so that he 'gat both his estate and lady togither.'[1] By her, who apparently died in March 1671, at Auchtermuchty,[2] and was buried at Scone, he had issue an only son and two daughters:—

1. DAVID, fifth Viscount Stormont.
2. *Catherine*, eldest daughter, married, before 4 December 1688 (contract dated at Holyroodhouse 8 August 1687), to William, second Earl of Kintore.[3]
3. *Amelia*.

V. DAVID, fifth Viscount Stormont and Lord Scone, third Lord Balvaird, was retoured heir of his father 7 October 1668,[4] and 9 July 1669.[5] On 3 January 1673 a warrant was issued for a letter of bailiary to be made constituting him and John Murray his tutor for their lives principal baillies of the lordship of Scone,[6] and 6 June following another warrant for a charter of new infeftment of Arngask and his lands in Dumfriesshire to be created into a new barony.[7] He strongly opposed the Treaty of Union; was one of those cited to appear at Edinburgh for suspected participation in the '15 rising, but not obeying the summons, was sentenced to a year's imprisonment and a fine of £500.[8] He died 19 November 1731 at Comlongan,[9] having married (contract dated 31 January 1688) Marjory, only daughter of David Scott of Scotstarvet, by Nicolas his wife, only daughter of Sir Robert Grierson of Lag, by Margaret his wife, eldest daughter and heir-portioner of Sir James Murray of Cockpool, and heir of line of the Murrays of Cockpool and Earls of Annandale.[10] By her, who died at Scone 8 April 1746, he had issue six sons and eight daughters:—

[1] Lamont, 111. [2] *Ibid.*, 225. [3] See v. 241 of this work. [4] *Retours, Fife and Dumfries.* [5] *Ibid.*, *Gen.* [6] *State Papers, Dom., Charles II.*, 14, 390. [7] *Ibid.*, 15, 347. [8] Howell's *State Trials*, 1812, vol. xv. 807 *n.* [9] Lyon Office. [10] *Ibid.*

1. DAVID, Master of Stormont, who succeeded as sixth Viscount.
2. *James*, admitted advocate 14 February 1710; M.P. for Dumfries 9 November 1710 to 8 August 1713; for Elgin Burghs 17 September 1713 to 6 April 1715, on which day he was unseated by order of the House of Commons. Hewas summoned to surrender on the breaking out in 1715, but served throughout the rising on the Jacobite side, afterwards going to France. In 1718 he was appointed a plenipotentiary for negotiating the marriage between Prince James Edward with the Princess Mary Clementina, and was created by the Prince, 2 February 1721, Earl of Dunbar in the shire of East Lothian, Viscount of Drumcairn in the shire of Fife, and Lord Hadykes in the shire of Dumfries, with remainder to the lawful heirs-male of his body, whom failing, to his brother Lord Stormont, with like remainder,[1] and nominated a Knight of the Thistle 31 December 1725.[2] He died, without issue, at Avignon in August 1770, aged eighty.
3. *John*, died young.
4. *William*, born at Scone Palace 2 March 1705, educated at Perth Grammar School, and afterwards at Westminster, where, in 1719, he was elected King's Scholar and went to Oxford in 1723, entering Christ Church, Oxford, 18 June of that year; B.A. 1727; M.A. 1730, in which year or the following he was called to the Bar. His first great case was in 1737, when he fought the bill for disqualifying the Provost of Edinburgh after the murder of Porteous, which resulted in his receiving the freedom of that city in a gold casket. He was M.P. for Boroughbridge 1742-56, Solicitor-General 1742, Attorney-General 1754, Lord Chief-Justice of the King's Bench 8 November 1756, and the same day created BARON OF MANSFIELD, in the county of Nottingham, to him and the lawful heirs-male of his body. Twice the seals of the Chancellorship of the Exchequer were placed in his hands, an office he declined on the resignation of Lord Hardwicke. In 1760 and 1770-71 he was Speaker

[1] Ruvigny's *Jacobite Peerage*. [2] Shaw's *Knights*, i. 75 *n*.

of the House of Lords, and on 31 October 1776 was raised in the Peerage, being created EARL OF MANSFIELD, in the county of Nottingham, with a special remainder, failing lawful heirs-male of his body, to Louisa, Viscountess Stormont, wife of his nephew and heir-presumptive, David, Viscount Stormont, and the lawful heirs-male of her body by her said husband. He resigned his seat on the Bench 4 June 1788, having occupied it for thirty-two years, and was further created, 1 August 1792, EARL OF MANSFIELD, in the county of Middlesex, with a special remainder, failing lawful heirs-male of his body, to his nephew, the aforesaid Viscount Stormont and the lawful heirs-male of his body. Lord Mansfield died at Caen Wood, his seat in Middlesex, 20 March 1793, and was buried on the 28 following in Westminster Abbey, having married, 20 September 1738, at Raby Castle, Durham, Elizabeth Finch, daughter of Daniel, Earl of Winchilsea and Nottingham. She, who was baptized at St. Margaret's, Westminster, 11 May 1704, predeceased him 10, and was buried 20, April 1784, also in Westminster Abbey, aged seventy-nine. Leaving no issue, the Earldom of Mansfield, co. Nottingham, devolved on Lady Stormont, and that of Mansfield, co. Middlesex, on Lord Stormont, the Barony of Mansfield becoming extinct. The biography of this great man is to be found under various pens,[1] and we need only remark that as a lawyer, in spite of the adverse criticisms passed upon him by 'Junius' and others, Lord Brougham doubted if 'any one has ever administered the laws in this country whom we can fairly name as his equal.' A pupil of Pope, in elocution he distinguished himself in debate, his oratory, according to Lord Waldegrave, being little inferior to that of his rival Pitt. James Burnet, Lord Monboddo of Session, writing in 1787, called him 'the greatest judge in England.'[2]

5. *Charles*, died without issue.
6. *Robert*, died without issue.

[1] Holliday's *Life of Mansfield*; Roscoe's *Lives of British Lawyers*; Lord Campbell's *Lives of the Chief-Justices*; *Dict. Nat. Biog.*, etc. etc.
[2] *Sixth Rep. Hist. MSS. Com.*, App. 674.

7. *Catherine*, died, unmarried, at Edinburgh, 25 November 1754. Testament confirmed 23 January 1758.[1]
8. *Elizabeth*, died unmarried.
9. *Marjory*, married to Colonel John Hay of Cromlix.[2]
10. *Amelia*, married (contract dated 22 and 28 April 1720), to Sir Alexander Lindsay of Evelick, Baronet. She survived her husband, dying 18, was buried 23, February 1774, in the Chapel Royal of Holyroodhouse, leaving issue.
11. *Margaret*, died unmarried at Edinburgh 18, and was buried 21, April 1785, in the Chapel Royal of Holyroodhouse, aged eighty-three. Testament confirmed 9 June 1785.[3]
12. *Jean*, died unmarried 10, and was buried 14, August 1758, in the Chapel Royal of Holyroodhouse.
13. *Nicolas Helen*, or *Helen Nicolas*, died unmarried, at Edinburgh, 7 November 1777, and was buried 11 same month in the Chapel Royal of Holyroodhouse, aged sixty-nine. She was the 'Miss Nicky Murray' of Edinburgh society, under whose direction the dancing assemblies were held. With some of her sisters she lived in Bailie Fife's Close.
14. *Mary*, died unmarried.

VI. David, sixth Viscount Stormont and Lord Scone, fourth Lord Balvaird, was cited, a few days after his father, to appear at Edinburgh as a suspect in the '15 rising, and was sentenced to imprisonment and a fine. On 21 March 1739 he was served heir of provision special to his cousin John Murray of Drumcairn, in the barony of Binn and lands of Fife. He died in his fifty-ninth year, at Janefield, near Dalkeith, 23 July 1748, and was buried 30 same month[4] at Comlongan, having married, at Edinburgh, 20 January 1726, Anne, only surviving child of John Stewart of Innernytie. By her, who died at Comlongan 10 July 1735, he had issue:—

1. David, Master of Stormont, who succeeded.
2. *James*, died, in the lifetime of his father, unmarried.
3. *Anne*, of Brighton, Sussex, who was granted by royal warrant, dated 30 April 1793, the rank and preced-

[1] Edin. Tests. [2] See v. 231 of this work. [3] Edin. Tests. [4] Lyon Office.

ence of a daughter of an Earl, died unmarried. Will dated 22 September 1804, proved 8 July 1817.[1]

4. *Marjory*, also granted the rank and precedence of the daughter of an Earl 30 April 1793, died unmarried 19 April 1799, at Twickenham, co. Middlesex, and was there buried. Will dated 30 March 1793, proved 9 May 1799.[2]

VII. David, seventh Viscount Stormont and Lord Scone, fifth Lord Balvaird, on the death of his uncle in 1793 succeeded under the special remainder of the creation of 1 August 1792 as second Earl of Mansfield, in the county of Middlesex. Born 9 October 1727; educated at Westminster, being elected to Oxford 1744, he went to Christ Church, Oxford; graduated B.A. 1748, and in that year confirmed his father's bond of provision at Caen in Normandy. Entering the diplomatic service soon after, in which he greatly distinguished himself, he was first attached to the embassy in Paris, and some years after was appointed envoy extraordinary to the Court of Saxony; nominated 1761 a plenipotentiary at the proposed Congress to be held at Augsburg for arranging a treaty between Prussia and the Electorate, but the negotiations being broken off Lord Stormont returned home. He was sworn of the Privy Council 26 July 1763, and appointed envoy extraordinary to the Court of Vienna; invested with the Thistle 30 November 1768; transferred to the Court of France 1772-78; Lord Justice-General of Scotland 1778-94; Secretary of State for the South 1779-82, and in 1783 and 1794 Lord President of the Council; Chancellor of Marischal College 1793, in which year, as already stated, he succeeded his uncle as Earl of Mansfield. His lordship took an active part in debates in the House of Lords, and was a fluent speaker.[3] From 1754 he was a Representative Peer of Scotland, till his death, which occurred at Brighton, Sussex, 1 September 1796, being buried the 9 of the same month in Westminster Abbey. He married, first, at Warsaw, 16 August 1759, Henrietta Frederica, daughter of Henry, Count Bunau, Privy Councillor of the Electorate of Hanover, and widow of M. de Berargaard, by whom, who died at Vienna 16 March 1766,

[1] *P. C. C.* [2] *Ibid.* [3] See *Dict. Nat. Biog.* for a fuller account.

where she was buried, her heart being taken to Scone, he had two daughters:—

1. *Elizabeth Mary*, born 18 May 1760, at Warsaw; married, 10 December 1785, George Finch Hatton of Eastwell Park, Kent (born 30 June 1747, died 17 February 1823); and died 1 June 1825, leaving issue, *inter alios*, George William, Earl of Winchilsea and Nottingham.
2. *Henrietta Anne*, born at Dresden 16 October 1763 and baptized there; died an infant at Vienna.

His lordship married, secondly, by licence, 5 May 1776, Louisa Cathcart, third daughter of Charles Schaw, Lord Cathcart. On the death of the first Earl of Mansfield in 1793, she succeeded, under the special remainder contained in the patent of 31 October 1776 creating the earldom of Mansfield in the county of Nottingham, to the dignity of Countess of Mansfield. She died at Richmond, Surrey, 11 July 1843, aged eighty-five, having married, secondly, 19 October 1797, Robert Fulke Greville, Groom of the Bedchamber, third son of Francis, Earl of Warwick, leaving issue by him. By her first husband she had four sons and a daughter:—

1. David William, styled Viscount Stormont until he succeeded as third Earl.
2. *George*, born 8 April 1780 in St. Marylebone, and baptized there; lieut.-general in the Army; colonel 2nd Life Guards, and principal Auditor of the Exchequer in Scotland. He died unmarried, 30 September 1848, in Upper Seymour Street, St. Marylebone, co. Middlesex.
3. *Charles*, born 22 August 1781, baptized at Wandsworth, Surrey; major in the Army; captain 28th Dragoons. He died in Paris 17 September 1859, having married, at Lymington, co. Southampton, 24 September 1802, Elizabeth, daughter of the Rev. John Law, D.D., by whom, who died 3 September 1833, he had issue.[1]
4. *Sir Henry*, born 16 August 1782, in St. Marylebone, and baptized in that parish 24 same month; colonel 14th Dragoons; lieut.-general in the Army; K.C.B.

[1] See current *Peerages*.

18 May 1860; a distinguished Peninsular and Waterloo officer. Died 29 July 1860, having married, in St. Marylebone, by licence, Emily, only daughter of Gerard Devisme of Lisbon, 28 June 1810, by whom, who died 23 November 1873, he had issue.[1]

5. *Caroline*, born 14 December 1789, and baptized 17 January 1790, at St. Marylebone; died 21 January 1867, unmarried.

VIII. David William, third Earl of Mansfield, in the county of Middlesex, eighth Viscount Stormont and Lord Scone, sixth Lord Balvaird, born in Paris 7 March 1777, and there baptized 6 April following; admitted to St. Peter's College, Westminster, 1790, but having assumed the courtesy title of Viscount Stormont could not be elected, although major candidate in 1794,[2] in which year he entered Christ Church, Oxford. He sat first in Parliament 31 May 1798; was Lord-Lieutenant of Clackmannanshire in 1803; moved the Address in the Parliament of 1807; elected a Knight of the Thistle 4 March 1835; sometime lieutenant 7th Foot; F.R.S., etc. He died at Leamington, co. Warwick, 18 February 1840, having married, 16 September 1797, at Bishopthorpe, co. York, Frederica, daughter of William Markham, Archbishop of York, by whom, who died 29 April 1860, aged eighty-six, at Langham House, Portland Place, St. Marylebone, he had issue:—

1. William David, styled Viscount Stormont until he succeeded as fourth Earl.
2. *Charles John* of Rutland Gate, London, and of Lincoln's Inn, barrister-at-law, born 25 January 1810 in Portland Place, baptized at St. Marylebone 24 March following. He died 1 August 1851 at Kingsbury, co. Middlesex, having married at Colwich, co. Stafford, 12 September 1835, Frances Elizabeth Anson, fourth daughter of Thomas, first Viscount Anson, and by her, who died 25 December 1900, buried at Kingsbury aforesaid, having married, secondly, 10 September 1853, Ambrose Isted of Ecton, in Northamptonshire, he had issue:—

(1) *Charles Archibald*, born at Ainslie Place, Edinburgh, 10

[1] See current *Peerages*. [2] Forshall's *Westminster School*.

October 1836; J.P. Perthshire. Married, first, in Westminster Abbey, 27 April 1865, Adelaide Emily Feilding, third daughter of William Basil Percy, Earl of Denbigh, and by her, who died 24 May 1870, at Taymount, Perthshire, aged thirty-three, has issue. He married, secondly, at St. John's Church, Perth, 11 June 1878, Blanche, fifth daughter of the late Sir Thomas Moncreiffe, Bart., by whom he also has issue.[1]

(2) *Frederick John George*, born 18 May 1839; colonel (retired) 3rd (Prince of Wales') Dragoon Guards.

3. *David Henry*, born 9 February 1811, baptized 30 March following at St. Marylebone; major in the Scots Fusilier Guards. He died 5 September 1862 at Taymount, Perthshire, and was buried at Scone, having married (contract dated 9, and registered 12 November 1840), at Scone, Margaret, Baroness Gray, only child of John Grant of Kilgraston and Pitcaithly, Perthshire, by Margaret his wife, daughter of Francis, Lord Gray, but by her, who died 26 May 1878, aged fifty-seven, at Grosvenor Gardens, St. George's, Hanover Square, London, had no issue.
4. *Frederica Louisa*, born 15 February 1800, in Great Cumberland Street, St. Marylebone; died 14 January 1823, in South Audley Street, St. George's, Hanover Square, London, having been married, 9 July 1820, to James Hamilton Stanhope, son of Charles, Earl Stanhope, lieut.-colonel 1st Foot Guards, by whom, who died 6 March 1825, she left an only son.
5. *Elizabeth Anne*, born 13 September 1803, in Portland Place aforesaid; died 24 September 1880, at Dulwich, and was buried at Kingsbury, co. Middlesex.
6. *Caroline*, born 15 January 1805, in Portland Place; died 11 September 1873, at Ashurst Lodge, Sunninghill, co. Berks, and was buried at Kingsbury.
7. *Georgiana Catherine*, born 18 July 1807 in Portland Place; died 28 November 1871, at Ashurst Lodge aforesaid, and was buried at Kingsbury.
8. *Cecilia Sarah*, born 8 May, baptized 11 June 1814, at St. Marylebone; died, unmarried, at Kenwood, 17 August 1830; buried at Kingsbury.
9. *Emily Mary*, born 22 November 1816 in Paris, and there baptized 4 January 1817; died 24 June 1902,

[1] See current *Peerages*.

buried at Arrow, near Ragley, co. Warwick; having been married, at All Souls, Langham Place, St. Marylebone, 9 May 1839, to Francis Hugh George, fifth Marquess of Hertford, by whom, who died 25 January 1884, she had issue.

IX. William David, fourth Earl of Mansfield of co. Middlesex, ninth Viscount Stormont and Lord Scone, seventh Lord Balvaird, who on the death of his grandmother, Louisa, Countess of Mansfield, in 1843, succeeded to the earldom of Mansfield in the county of Nottingham. Born 21 February in Portland Place, baptized 28 March 1806 at St. Marylebone; educated at Westminster and Christ Church, Oxford; lieut.-colonel Stirlingshire Militia 1828-35; M.P. for Aldborough 1830-31, for Woodstock 1831-32, for Norwich 1832-37, and for Perthshire 1837-40, in which year he succeeded his father and sat in the Upper House. Elected a Knight of the Thistle 13 June 1843; Lord High Commissioner to the Church of Scotland 1852, 1858, and 1859; Lord-Lieutenant of Clackmannanshire 1852. He, the 'Father of the House of Lords,' died 2 August 1898 at Scone Palace, and was buried with his wife in the mausoleum on the Moot Hill of Scone, having married, 8 April 1829, at the Chapel Royal, Whitehall, Louisa, daughter and co-heir of Cuthbert Ellison of Hebburn, co. Durham, by whom, who died 24 November 1837, at Scone Palace, he had issue a son and daughter.

1. *William David*, styled Viscount Stormont, born in Jermyn Street, St. James's, London, 22 July 1835, baptized at St. James's, Westminster. Lieutenant-colonel third battalion Black Watch or Royal Highlanders; brigadier-general Tay Infantry Volunteer Brigade; served in the Crimea, being then in the Grenadier Guards; A.D.C. to Queen Victoria; Vice-Lieutenant and Convener of Perthshire, and D.L. Dumfriesshire. He died in his father's lifetime, 12 October 1893, at Scone Palace, and was buried in the mausoleum on Moot Hill, having married, 6 August 1857, at St. James's, Westminster, Emily Louisa, daughter of Sir John Atholl Bannatyne MacGregor of MacGregor, Bart., by whom he had issue:—

(1) William David, styled Lord Balvaird after his father's death until he succeeded as fifth Earl, etc.
(2) *Andrew David*, born 28 September 1863, at Scone Palace; baptized at St. John the Baptist, Perth. Captain and brevet-major Queen's Own Cameron Highlanders; by Royal Warrant of 13 January 1899 he and his younger surviving brothers and sisters were granted the rank and precedence of Earl's children. While commanding Lovat's Scouts he was killed in action, 20 September 1901, at Orange River, South Africa, and was buried in the mausoleum at Scone.
(3) Alan David, succeeded his eldest brother as sixth Earl, etc.
(4) *Angus David*, born 4 June 1869, in Charles Street, Mayfair, London; baptized at Grosvenor Chapel; lieutenant R.N., died at Halifax, Nova Scotia, 4 October 1898, and was buried at Scone.
(5) *Alexander David* of Lethindy, Old Scone, born 3 May 1871 in Portman Square, London, baptized at Grosvenor Chapel; captain third battalion Black Watch (reserve of officers).
(6) *Marjorie Louisa*, married, 8 April 1891, at Scone Palace, to Sir Kenneth John Mackenzie of Gairloch, Baronet, and has issue.
(7) *Mabel Emily*, married, 30 March 1905, at the Cathedral, Gibraltar, to Herbert Goodenough King Hall, captain R.N., C.B., C.V.O., D.S.O.

2. *Louisa Nina*, married, 21 July 1851, at St. Michael's, Highgate, Middlesex, to the Honourable George Edwin Lascelles of Sion Hill, Thirsk, Yorkshire, third son of Henry, Earl of Harewood, and has issue.

X. William David, fifth and fourth Earl of Mansfield, tenth Viscount and Lord Scone, eighth Lord Balvaird, succeeded his grandfather 2 August 1898. Born 20 July 1860, in Upper Grosvenor Street, baptized at St. James's, Westminster, 28 same month; sat first in Parliament 7 February 1899; P.C.; captain Grenadier Guards; D.L. and J.P. for Perthshire, Clackmannanshire, and Dumfriesshire. Died unmarried 29 April 1906 at Comlongan Castle, Ruthwell, and was buried at Scone. He was succeeded by his brother.

XI. Alan David, sixth and fifth Earl of Mansfield, eleventh Viscount Stormont and Lord Scone, ninth Lord Balvaird, born 25 October 1864 in Charles Street, Mayfair; baptized at Grosvenor Chapel in the parish of St. George, Hanover Square, London; sat first in Parliament 3 June 1907; sometime lieutenant in the Black Watch; Gentleman Usher of the Green Rod. Married, 20 April 1899, at Lochearn-

head, Balquhidder, his first cousin, Margaret Helen Mary, daughter of the late Rear-Admiral Sir Malcolm MacGregor of MacGregor, fourth Baronet, by whom he has issue:—

Mungo David Malcolm, styled Lord Scone, born 9 August 1900, at Moneydie House, Perthshire.

CREATIONS.—Lord Scone, 7 July 1604; Viscount Stormont, 16 August 1621; and Lord Balvaird, 17 November 1641, in the Peerage of Scotland. (Baron Mansfield in the county of Nottingham, 8 November 1756, extinct); Earl of Mansfield in the county of Nottingham, 31 October 1776; and Earl of Mansfield in the county of Middlesex, 1 August 1792, in the Peerage of Great Britain.

ARMS (recorded in the Lyon Register).—Quarterly: 1st and 4th, azure, three mullets argent within a double tressure flory counterflory or, for *Murray*; 2nd and 3rd, gules, crosses patée, for *Barclay*.

CREST.—A buck's head couped at the neck proper, between the attires a cross patée argent.

SUPPORTERS.—Two lions gules, armed and langued azure.

MOTTO.—*Spero meliora.*

[K. W. M.]

DRUMMOND, VISCOUNT OF STRATHALLAN

JAMES DRUMMOND was the second son of David, second Lord Drummond (*see title* Perth), by his wife Lilias Ruthven. On 7 November 1560 Alexander Gordon, then Bishop of Galloway, granted the whole Abbey of Inchaffray in tack to Lord Drummond and his wife and their son James.[1] On 6 September 1561 James had a charter from his father and mother of the lands of Calyequhat and Annat, co. Perth.[2] On 4 June 1564 Bishop Gordon, in consideration of the payment of £1000, granted Lord Drummond and his wife in liferent, and their son James in fee, certain annualrents from the barony of Invermachany and other lands.[3] On 26 July 1565 Queen Mary appointed him Commendator of Inchaffray.[4] Under the designation of James Drummond of Innerpeffray he had a grant, on 3 January 1581-82, from William Lindsay, Provost of the church of Innerpeffray, of the lands of Kirkhill and others, in the parish of Monzie.[5] On 23 August 1582 he is styled Commendator of Inchaffray and Laird of Innerpeffray, in a charter to him

[1] *Inchaffray Charters*, Scot. Hist. Soc., pp. xciii, 248. [2] Confirmed 11 March 1572-73, *Reg. Mag. Sig.* [3] Confirmed 14 November 1581, *ibid.* [4] *Inchaffray Charters*, 161. [5] Confirmed 20 October 1582, *Reg. Mag. Sig.*

by his brother Patrick, Lord Drummond, of the baronies of Auchterarder, Strageith, Kincardine, Cargill and others, comprising the barony of Drymen, the baronies of Uchtermuthill and Drummond, besides other lands.[1] He had also charters from John Ross, younger of Craigie,[2] of the lands of Auchleskin and others, in the barony of Cragy, 27 May 1558, and the barony of Innerpeffray 22 September 1565. Educated as a boy with the King, he became a great favourite with James, who made him, in 1585, a Gentleman of the Bedchamber, and on 4 February 1594-95 granted him a novodamus of the barony of Innerpeffray, with many other lands.[3] He was with the King during his notable adventure at Gowrie House in August 1600, and for his services on that occasion he had a grant from his grateful Sovereign of Bamaclone, and many other lands in Perthshire, besides Auchincloich, in Argyll.[4] On 31 January 1609[5] Drummond was created LORD MADERTIE, with remainder to the heirs-male of his body. He had charters of East Craigton and others, in Perthshire, 23 May 1611; and of the lands of Uchtermachin and others, incorporated into a barony, with remainder to his second son, 27 July 1615. Lord Maderty died in September 1623, having married Jean, daughter of Sir James Chisholm of Cromlix; she died in November 1589.[6] It was through this marriage that he got possession of Innerpeffray, as Sir James Chisholm's wife was Jean, daughter and coheiress of Sir John Drummond of Innerpeffray. Lord Maderty had issue by his wife:—

1. JOHN, second Lord Maderty.
2. *James*, afterwards Sir James Drummond of Machany. He was a devoted Royalist, and was one of the 'Engagers' for the rescue of King Charles I., being colonel of the Perthshire Foot. He died in July 1675,[7] having married, secondly (contract 5 and 7 March 1619[8]), Catherine, daughter of Sir John

[1] Confirmed 3 September 1582, *Reg. Mag. Sig.* [2] Confirmed 8 January 1558-59, *ibid.* [3] Confirmed 3 September 1582, *ibid.* [4] *Ibid.*, 5 April 1603. [5] Among the Dupplin Papers there is a letter of 26 December 1608, which speaks of the Patent as about to be issued; and in an Inventory there the date is given as 5 January 1609. [6] Edin. Tests. [7] Dunblane Tests.; his whole personal effects seem to have consisted of his clothes and an old horse of the value of £10 Scots. [8] *Reg. of Deeds*, ccxciv. 302.

Hamilton of Lettrick, and sister of John, first Lord Bargany. By her he had issue:—

(1) JAMES, of whom afterwards.
(2) *John*, a captain in the Army, killed at the siege of Newcastle in 1641.
(3) *Andrew*, also an officer in the Royalist Army, died *s.p.* September 1678.
(4) *Patrick*.
(5) *George*.
(6) *David*.
(7) *William*.
(8) *Thomas*. These five younger sons are said by the family historians to have 'died, without issue, in the wars,' but even in those unsettled times it is hardly likely that there would be so remarkable a family holocaust.
(9) *Catherine*, married to Alexander Robertson of Strowan.

3. *Lilias*, married, 29 October 1603 (contract 12 October [1]), to Laurence, fifth Lord Oliphant, with a tocher of 40,000 merks.[2] She was alive 23 January 1636.
4. *Jean*, married (contract 23 May 1606 [3]) to Andrew Wood of Largo. She was his wife on 30 September 1618, when she was, with her husband, a consenting party to resignation of certain lands.[4]
5. *Margaret*, married to James Muirhead of Breadisholm.
6. *Catherine*, married to Andrew, first Lord Rollo.

II. JOHN, second Lord Maderty, was served heir-male of his father 17 March 1624.[5] The date of his death has not been ascertained, but he was alive in 1647, when his son was still styled the Master.[6] He married (contract 30 April 1609 [7]) Margaret, daughter of Patrick, first Lord Lindores, and had with her a charter of the lands of Newraw and others 13 January 1625.[8] They had issue:—

1. DAVID, third Lord Maderty.
2. *James*, said by Douglas to have been an officer on foreign service.
3. *John*, said also to have been on foreign service. There was a John Drummond ennobled in Sweden in 1649,[9]

[1] Cf. vol. vi. 551, and references there given. [2] Drummond's *Noble Families*, ii. 20. The sum actually specified in the marriage-contract amounted to 34,000 merks. [3] *Reg. of Deeds*, ccvi. 159. [4] *Reg. Mag. Sig.* [5] *Retours, Perth*, 317. [6] *Reg. Mag. Sig.*, 18 February 1648. [7] *Reg. of Deeds*, clxii. 146. This corrects a singular mistake in the *Reg. Mag. Sig.*, 13 January 1625, where the date of the contract is given as 1622. [8] *Reg. Mag. Sig.* [9] Fischer's *Scots in Sweden*, 260.

but there is no proof of his connection with the Maderty family.

4. *Ludovic*, who after serving with the Royalist forces at home and escaping after the battle of Worcester, entered the Swedish service, was killed at the storming of Copenhagen, and was buried at Elsinore.[1] He had no issue.
5. WILLIAM, afterwards Viscount of Strathallan.
6. *Anne*, married (contract 16, 17 and 25 January 1639[2]) before 18 February 1648, when the spouses had a charter of Over Kinbachlo and other lands, to Patrick Rattray of Craighall.[3]
7. *Jean*, married, probably about 1630, to Patrick Graeme of Inchbraikie, with issue.
8. *Margaret*, married (contract 26 June 1647[4]) to Sir Robert Crichton, son of Robert Crichton of Ryhill, and nephew of the first Earl of Dumfries. Sir Robert changed his name to Murray on succeeding, through an entail, to the Cockpool estates.[5]

III. DAVID, third Lord Maderty, had a charter to himself, his heirs, assigns, and successors, of the barony of Innerpeffray, etc., 27 June 1636.[6] In 1645 he was imprisoned for assisting Montrose and fined £2000, but was pardoned in 1647.[7] He subscribed the bond for securing religion and the work of the Reformation 1651, and apparently took his seat in Parliament at the same time.[8] On 29 August 1666 he had a commission as lieutenant of the troop of horse of which his brother Lieut.-General William Drummond was captain.[9] He did not, however, take much part in the public life of his time, his tastes being more literary than political. He may be said to be the first pioneer of public libraries in Scotland, as he founded one at Innerpeffray for the use of the inhabitants of Strathearn. According to Lord Fountainhall,[10] Lord Maderty, when lying sick, resigned his honours, 11 April 1684, in favour of his youngest then surviving brother William, who, however, would have succeeded in any event if he had lived

[1] Drummond's *Noble Families*, ii. 21. [2] Inventory at Dupplin. [3] *Reg. Mag. Sig.* [4] *Gen. Reg. Inhibs.*, 13 June 1663. [5] See vol. iii. 288. [6] *Reg. Mag. Sig.* [7] *Acta Parl. Scot.*, vi. pt. i. 337, 669. [8] *Ibid.*, pt. ii. 681. [9] Dupplin Papers. [10] *Historical Observes*, i. 295.

to succeed.[1] His will was dated December 1691,[2] and he died 20 January 1692. He married, first, in the kirk of Perth, 6 February 1638,[3] Alison, daughter of John Creightoun of Haltoun and Luncardie, to whom she was served heir-portioner, with her sister Isabella, 1 September 1638.[4] She died in March 1639, leaving a daughter *Margaret*, who was served heir of her mother in half the barony of Luncardie 19 March 1642.[5] She died 18 October following, and her father was served heir to her 14 January 1643. He married, secondly (contract 10 December 1641[6]), Beatrix Graham, daughter of John, fourth Earl of Montrose, and by her, who died 7 November 1691,[7] had issue:—

1. *James*, died young.
2. *William*, died young.
3. *Margaret*, married, as his first wife, to her cousin John Graeme of Inchbraikie, Postmaster-General for Scotland, and died before 1685.
4. *Beatrix*, married (contract 9 December 1669) to John Carmichael, first Earl of Hyndford.
5. *Mary*, married (contract 22 August 1677[8]), as his first wife, to John Haldane of Gleneagles.

Lord Maderty having died without surviving male issue, the succession opened to his only surviving and youngest brother,

IV. William Drummond, fourth Lord Maderty. A soldier by profession, like all his brothers except the eldest, he, after some education at the University of St. Andrews, served with the Monros and Ormonde in Ireland. He was in London immediately before the execution of the King, and the day after that event joined Charles II. in Holland. He commanded a brigade at the battle of Worcester, where he was taken prisoner, but managed to escape and reach the King at Paris.[9] He afterwards served with the Royalists in the Highlands till their final dispersion by the Parliamentary General, Morgan, in 1654.[10] He then took his sword abroad, and in 1655 entered the service of the

[1] On 18 July 1678 he had nominated his brother William as his heir, failing heirs-male of his own body (Dupplin Papers). [2] *Deeds*, Durie, 16 August 1705. [3] *Chronicles of Perth*, 35. [4] *Retours, Perth*, 482. [5] *Ibid.* [6] Inventory at Dupplin. [7] *Ex* inform. Viscountess of Strathallan. [8] *Perth Sasines*, vii. 164. [9] *Dict. Nat. Biog.* [10] Burnet's *Hist.*, i. 103-104.

Czar, by whom, he himself states, he was 'noblie entertained.'[1] At all events he saw much service and attained the rank of lieutenant-general and Governor of Smolensko.[2] On the restoration, Charles II. called him home, though the Czar was not inclined to part with him. In 1666 he was appointed Major-General of the Forces in Scotland, with a seat on the Council.[3] His Russian experiences had rendered him too autocratic to be popular, and to his severity, with the approval of Dalzell of Binns, is generally attributed the introduction of torture by the thumbscrew which he had seen employed in Russia.[4] Quarrelling with Lauderdale he was, 22 September 1674,[5] imprisoned in Dumbarton Castle, on the unlikely charge of having corresponded with some of the exiled Covenanters.[6] He was released 24 February 1676, but was not restored to his command,[7] and was knighted between 1678 and 1681. He sat in Parliament for Perthshire in the Parliament of 1669-74, in the Convention of 1678, and in the Parliaments of 1681-82 and 1685-86.[8] On 15 February 1669 the Abbey of Inchaffray was erected into a temporal lordship in his favour.[9] On 8 September 1682 he was made Master-General of the Ordnance,[10] and on the accession of James VII., and after the death of Dalzell, was appointed Lieutenant-General of the Forces in Scotland 7 October 1685, and a Lord of the Treasury January 1686. In 1686, when the King proposed toleration for Roman Catholics, but continued persecution for Covenanters, Strathallan—who was described as 'a bad Christian, but a good Protestant'[11]—refused to carry out the King's wishes,[12] and opposed the Government policy both in the Council and Parliament. He did not, however, lose favour with the King: he had a grant of the barony of Torwoodlee in May 1686,[13] and on 16 August of the same year he was created VISCOUNT STRATHALLAN and LORD DRUMMOND OF CROMLIX, with remainder to the heirs-male of his

[1] *Gen. Hist. House of Drummond*, 187. [2] Egerton MS., 1585-86, f. 69. [3] *Cal. State Papers, Dom.*, 1667, 18, 575. [4] Fountainhall's *Hist. Notices*, ii. 557. [5] *Cal. State Papers, Dom.*, 1673-75, 364. [6] Wodrow, ii. 270. [7] Dalton's *Scots Army*, 73. [8] Foster's *Members of Parliament, Scotland.* [9] A draft of a signature for a like erection, in favour of the second Lord Maderty about 1609, exists, but never passed the seals; *Charters of Inchaffray*, 170, 308. [10] Dalton's *Scots Army*, 74. [11] *Dict. Nat. Biog.* [12] Macaulay's *Hist.*, ii. 117, 121. [13] *Acta Parl. Scot.*, viii. 588.

body, whom failing, to his heirs-male whatsoever. In September he was nominated Commissioner of Justiciary for Argyllshire, and on 16 May 1687 he was made Governor of Inveraray Castle and Captain of the Company of Foot to be raised for its garrison.[1] He spent £800 on the fortifications, which sum was refunded to him 3 March 1688.[2] He died shortly after the last-mentioned date, on 23 March 1688,[3] and was buried at Innerpeffray 4 April. In connection with his last illness there arose a quarrel between the Duchess of Lauderdale and Sir James Dick of Priestfield about some swans she had taken out of Duddingston Loch in order that their skins might be given to the old general 'to warm his breast.' A dispute arose about the ownership of the swans which, with its consequences, is graphically told by Lord Fountainhall.[4] Lord Strathallan's character has had much said against it by his political opponents, but the writers of the time were not famous for charitable opinions. He may have been a stern disciplinarian, and his private life was probably far from conforming to the standards of Covenanting convention, but he was evidently a first-rate soldier, straight, thorough and independent, as may be seen from the way in which he opposed the policy of the King in 1686. He was described by a contemporary as 'an honest man, a faithful and sincere friend, and an incorruptible patriot.'[5] Not only was he a good soldier but he wrote an admirable history of his family entitled *The Genealogical History of the House of Drummond*. It was completed in 1681, but was never printed till 1821, when a very limited edition was issued. It professes to be 'by a friend to vertue and the family,' as Strathallan, whatever his faults may have been, was singularly modest and reticent as to his own actions. The notice of himself in the work is very short, and written from a wonderfully detached point of view. The history does contain, no doubt, a good deal of fabulous, or, at all events, unproved matter at the beginning, though as the same tales were believed in and reproduced as absolute facts by the Rev. David Malcolm in 1808,[6] Lord Strathallan

[1] *Warrant Book for Scotland*, xii. [2] *Ibid.* [3] Letter at Slains. [4] *Hist. Notices*, ii. 587; quoted in Dalton's *Scots Army*, 76. [5] Memoirs of Sir Ewen Cameron of Lochiel, MS., quoted in the Appendix to the *Gen. Hist. of the House of Drummond*, 314. [6] *Ibid.*

can hardly be blamed for accepting them. But as the author gets nearer his own time his history gets really valuable, and he had the opportunity of seeing many writs which since his day have been lost or destroyed.

Lord Strathallan records the date of his midnight marriage in a printed German book, now in the library of Innerpeffray, 'In anno 1668 upon fridday the 28 of feb. about 12 of the clock in the night I was maried in the Abbay Church of Holyrud hous by Mr. Kid actual minyster ther.'[1] His wife was Elizabeth, daughter of Sir Archibald Johnston of Warriston, and widow of Thomas Hepburn of Humbie. She was buried in St. George's Church, Southwark, in 1679. It is doubtful if Lord Strathallan married a second time; no record has been found of such a marriage, but the Edinburgh Register contains an entry of the baptism of a son (not styled 'natural') on 18 June 1685 to General William Drummond and Grisel Drummond.

By Elizabeth Johnston he had issue:—

1. WILLIAM, second Viscount of Strathallan.
2. *Margaret* (often called *Elizabeth*), born 18, baptized 3, March 1669,[2] married (contract 20 December 1683) to Thomas, seventh Earl of Kinnoull.[3]

V. WILLIAM, second Viscount of Strathallan, born 8, baptized 27, August 1670,[4] no doubt succeeded to the title of Lord Maderty also.[5] Served heir to his father 13 January 1698,[6] and took the oaths and his seat in Parliament 30 May 1700. He died 7 July 1702, having married Elizabeth Drummond, daughter of John, first Earl of Melfort, by whom he had a son,

VI. JAMES, third Viscount of Strathallan,[7] served heir to his father 19 April and 23 June 1709. He did not long enjoy the title, as he died, unmarried, in London 26 May 1711, in his sixteenth year. On his death the issue-male of the first Viscount became extinct, and the succession opened to the descendants of Sir James Drummond of

[1] *Hay of Craignethan's Diary*, Scot. Hist. Soc., p. xx. [2] Canongate Reg. [3] *Reg. Sec. Sig., Latin*, xv. 239. [4] Canongate Reg. [5] Riddell's *Peerage Law*, 742. [6] *Retours, Argyll*, 97; *Perth*, 1030; *Stirling*, 338. [7] Called William in Wood's Douglas's *Peerage*, but he is styled James in his services as heir; *Services of Heirs*, 1700-10.

Machany, second son of James, first Lord Maderty.[1] Sir James Drummond's eldest son,

Sir James Drummond of Machany, was fined £500 by Cromwell's Act of Grace and Pardon in 1654,[2] afterwards reduced to £166. He had a ratification by Parliament to himself of the lands and barony of Uchtermachany in 1669.[3] He died in July 1675, having married, first, Mary, daughter of Sir James Haliburton of Pitcur, by whom he had a son, who died in infancy; secondly (contract 11 February 1645[4]), Anna, daughter of George Hay of Kellour, fifth son of George, eighth Earl of Erroll, and widow of William Moray of Abercairny. Sir James married, thirdly (contract 29 August 1662), Lilias Muirhead, widow of Sir Walter Stewart of Minto.[5] By her, who died at Machany 6, and was buried at Foulis 12, June 1657,[6] he had issue:—

1. John, who succeeded.
2. *David*, who died at the University of Leyden, unmarried.
3. *Lilias*, married, first (contract 28 September 1667[7]), to James, Earl of Tullibardine, who died in 1670; secondly (contract 5 October 1676[8]), to James, fourth Earl of Perth, and died about 1685.
4. *Anne*, married, in 1671, as his first wife, to Thomas Graeme of Balgowan.

Sir John Drummond of Machany was served heir to his uncle, Colonel Andrew Drummond, 31 October 1678, to his father, Sir James, 2 January 1679.[9] He had commissions as Governor of Inveraray Castle and of the county of Argyll and Tarbet in 1688. He was included in the forfeiture pronounced against Dundee and his supporters 14 July 1690.[10] He was a prisoner in Stirling Castle, but on 28 July 1692 the Privy Council, on proof that his mind was deranged, ordered him to be set at liberty and delivered to his brother-in-law, Thomas Graham of Balgowan,[11] but he returned home and died at Edinburgh in 1707. He married Margaret, daughter of Sir William Stewart of Innernytie,

[1] See *ante*, p. 217. [2] *Acta Parl. Scot.*, vi. pt. ii. 820. [3] *Ibid.*, vii. 540. [4] Abercairney Inventory. [5] Lamont's *Diary*. [6] *Perth Sasines*, i. 456. [7] *Ibid.*, iii. 449. [8] *Ibid.*, vii. 74. [9] *Retours, Perth*, 902, 903. [10] *Privy Council Acta*. [11] *Acta Parl. Scot.*, ix. App. 61, 65, 153.

second son of Sir William Stewart of Grantully,[1] and by her had issue:—

1. *James.*
2. *John.*
3. *David.* All these died young.
4. WILLIAM, who succeeded as fourth Viscount of Strathallan.
5. *Andrew*, born about 1681; founded the great banking house of Drummond at Charing Cross. He purchased the estate of Stanmore, co. Middlesex, 1729, and died 2, and was buried at Stanmore 9, February 1769. He married, 7 November 1716, Isabella Strachan. She died 13 February 1731,[2] having had issue, besides a daughter *Isabel*, one son:—

(1) *John* of Stanmore, born 27 April 1723; M.P. for Thetford; died 25 July 1774,[3] having married, 22 December 1744, Charlotte, daughter of Lord William Beauclerk, second son of Charles, first Duke of St. Albans. By her, who died 7 March 1793,[4] he had issue, besides two daughters:—

i. *George* of Stanmore, born 1758; died 6 March 1789,[5] having married, 30 November 1779, Martha, eldest daughter and coheir of the Hon. Thomas Harley, son of the third Earl of Oxford. By her, who died 17 August 1788,[6] he had issue, besides one daughter, *Henrietta Maria*:—

(i) *George Harley*, of Stanmore, born 25 November 1783; died 21 March 1855, having married, 9 February 1801, Margaret, daughter of Alexander Munro. By her, who died 28 July 1853, he had issue, besides two daughters:—

a. George of Stanmore, born 12 February 1802; died 5 January 1851, having married, 14 April 1831, Marianne, second daughter of Edward Berkeley Portman of Bryanston, co. Dorset, and by her, who died 1 December 1842, had issue, besides four daughters:—

(*a*) *George James*, of Swaylands, born 22 June 1835; married, 6 July 1876, Elizabeth Cecile Sophia, daughter of the Rev. F. J. Norman, with issue, besides four daughters:—

a. George Henry, born 3 March 1883.

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[1] Duncan Stewart's *Hist.*, 186. [2] *Gentleman's Mag.* [3] *Ibid.* [4] *Scots Mag.* [5] *Ibid.* [6] *Gentleman's Mag.*

β. *David Robert*, born 30 October 1884; married, 29 October 1907, Hilda Margaret, daughter of Alfred Harris of Donnington.

γ. *Alexander Victor*, born 20 October 1888.

b. *Henry Dundas*, born 17 December 1812; died *s.p.* 25 July 1867, having married Sophia Jane, daughter of Charles C. Mackinnon.

(ii) *Andrew Mortimer*, born 9 November 1786; died 1 June 1864, having married, 25 June 1808, Emily Charlotte Percy, daughter of Algernon, first Earl of Beverley. By her, who died 22 May 1877, he had issue, besides six daughters:—

a. *Mortimer Percy*, born 7 September 1816; died 5 October 1893, having married, first, 8 October 1840, Jane, eldest daughter of James Drummond Nairne. She died *s.p.*, and he married, secondly, 10 September 1857, Emmeline Fanny, only daughter of the Rev. Francis A. Rawlins, with issue, besides two daughters:—

(*a*) *Mortimer Percy George Douglas*, born 27 November 1860; married, 1890, Alice, daughter of William C. Ward with issue one daughter.

ii. *John*, born 1766; died 28 May 1833, having married, first, 11 June 1789, Hester, daughter of Thomas Cholmondeley of Vale Royal; she died 24 September 1802; and he married, secondly, 1 May 1806, Barbara, daughter of Charles Chester of Chicheley, co. Bucks. She died 9 August 1832.

Issue by first marriage, besides a daughter:—

(i) *John* of Redenham, co. Hants, born 10 January 1791; died 10 January 1864, having married, 22 April 1816, Georgina Augusta, fourth daughter and coheiress of Admiral Sir Eliab Harvey, G.C.B. By her, who died 11 October 1878, he had issue, besides three daughters:—

a. *Harvey*, born 2 April 1817; died 1 October 1875, having married, 16 April 1844. Susan Caroline, daughter of Andrew Mortimer Drummond (see above). By her, who died 3 February 1905, he had issue, besides four daughters:—

(*a*) *Allan Harvey*, born 7 February

1845; married, 4 March 1886, Katherine Adine Geraldine, elder daughter and coheiress of the third Marquess of Bristol, with issue, besides three daughters:—

α. *Frederick Harvey John*, born 24 May 1892.

β. *James Andrew John*, born 26 November 1896, died 27 August 1897.

(*b*) *Lewis William Frederick*, born 1846, died 1849.

(*c*) *Malcolm Hugh*, R.N., born 1 November 1848; married, 14 January 1891, Mabel Jeannie Otway, daughter of Major Henry Otway Mayne, with issue, besides a daughter:—

α. *Malcolm David George*, born 16 October 1895.

(*d*) *Archibald Spencer*, born 9 October 1853; was an officer Scots Guards; married, 5 February 1891, Helen Sherer, elder daughter of John William Burns of Kilmahew, and has issue, with one daughter:—

α. *Harvey Gerald Burns*, born 10 July 1898.

(*e*) *William Percy*, born 5 November 1855; died, unmarried, 13 May 1904.

(*f*) *Hugh Frederick*, born 28 July 1857; died, unmarried, 18 February 1899.

b. *Frederick Thomas*, born 24 June 1818; died 12 October 1877, having married, 25 April 1850, Agnes Caroline, second daughter of W. P. Brigstocke.

c. *John William*, born 16 August 1819; died 1851.

d. *Francis Berkeley*, born 16 December 1825; died 27 June 1859, having married, 1855, Ellen, daughter of W. H. Urquhart. By her, who married secondly, May 1864, William Molloy Stewart, and died 1889, he had issue, besides three daughters:—

(*a*) *John William Ainslie*, born 23 June 1857; an officer in the Scots Guards; married, 28 Feb-

ruary 1886, Florence Charlotte, daughter of John George Blencowe of Bineham, co. Sussex, with issue, besides two daughters:—

a. *Frederick John*, born 15 June 1891.

β. *Francis William*, born 4 September 1894.

e. *Hugh Fitzhardinge*, born 30 January 1830; killed in the Crimea 13 August 1855.

f. *Edward*, born 11 March 1833; married, 7 August 1862, Lucy Marion, daughter of the Rev. C. S. Barnard, with issue, besides one daughter:—

(a) *Edmund Berkeley*, born 9 January 1867; married, 6 June 1888, Mabel, daughter of the Rev. Francis Tuke; she died *s.p.* 29 September 1888.

(b) *Eustace Harvey*, born 13 August 1870.

By his second marriage John Drummond had issue:—

(ii) *Spencer*, born 12 October 1808; died 18 April 1869.

(iii) *Rev. Heneage*, born 7 July 1810; died 13 September 1881, having married, 8 January 1840, Cecil Elizabeth, daughter of Andrew Mortimer Drummond (see p. 225). By her, who died 13 September 1881, he had issue, besides one daughter:—

a. *Algernon Heneage*, born 1 July 1844; married, 2 October 1879, Margaret Elizabeth, elder daughter of William Benson of Langtons, with issue, besides two daughters:—

(a) *Algernon Cecil Heneage*, born 20 August 1880.

(b) *Spencer Heneage*, born 12 August 1884.

(c) *Geoffrey Heneage*, born 25 January 1886.

(d) *Jocelyn Heneage*, born 4 August 1888.

(e) *Frederick Boyd Heneage*, born 15 February 1890.

(f) *Mortimer Heneage*, born 16 February 1892.

(g) *Maurice John Heneage*, born 18 September 1894.

6. *Thomas*, who engaged in the Rebellion of 1715, and was made prisoner at the battle of Sheriffmuir.
7. *Anne*, died at Edinburgh 24 June 1748.
8. *Margaret.*
9. *Lilias.*
10. *Mary*, married to Duncan Campbell of Monzie.

VII. WILLIAM DRUMMOND of Machany, the eldest surviving son, succeeded his father in 1707, and his kinsman, the third Viscount of Strathallan, in all his titles in 1711. He was engaged in the Rebellion of 1715, and was at the battle of Sheriffmuir, where he was taken prisoner. He was not, however, sent to Carlisle for trial,[1] and no further proceedings seem at this time to have been taken against him. His zeal for the Jacobite cause remained unquenched, and when Prince Charles began the campaign of 1745, Strathallan was among the first to join his forces.[2] When the Prince started on his ill-fated march into England, Strathallan was left behind in charge of the troops in Scotland. At the battle of Culloden he commanded, along with Lord Pitsligo, the Perth Squadron on the left of the second line of the Highland Army.[3] He is said to have been the only person of distinction among the low country regiments that fell on that day. When the Scottish forces gave way under the pressure of the English charge he was unhorsed, and in endeavouring to remount he was killed by an English officer of dragoons.[4] After his death he was included in the Act of Parliament declaring him attainted as from 18 April unless he surrendered before 12 July 1745. But as he was dead before 18 April the Act was inoperative so far as he was concerned.

Lord Strathallan married (contract 1 November 1712) Margaret, eldest daughter of Margaret, daughter of Robert, first Lord Nairn, and her husband Lord William Murray who succeeded to the title under the special remainder.[5]

[1] Stewart's *Papers*, ii. 452. [2] Broun's *Hist. of the Highlands*, iii. 40. [3] *Ibid.*, 242. [4] It was stated that he himself had sought death in this way rather than by the hand of the executioner (*Jacobite Memoirs*, ed. Chambers, 296). It is stated too that he did not die immediately after his wound, but lived to receive the *viaticum* from a Catholic priest who happened to be on the field. The sacred morsel was hastily composed of oatmeal and water procured at a neighbouring cottage; Chambers's *Hist. of the Rebellion*, ii. 319. [5] See vol. vi. 394.

She was for her active support of Prince Charles committed prisoner to Edinburgh Castle 11 February 1746, and remained there till 22 November following, when she was liberated on bail. She died at Machany 28 May 1773, having had issue:—

1. *James Francis Edward*, born 10 June 1722;[1] died young.
2. JAMES, fifth Viscount of Strathallan.
3. *Charles*, born 19 January 1724; died young.
4. *William*, twin with the above; died at Machany 25 May 1772,[2] having married Anne, second daughter of Major David Nairne of the French service, and by her, who died at Edinburgh 31 May 1782, had issue:—
    (1) *William Henry*, born 1765; ensign Scots Guards 26 January 1781; lieutenant 10 October 1788; captain 72nd Regiment 30 March 1789; lieutenant-colonel 27th Regiment, served with Sir John Moore at Corunna, and died, unmarried, 1796.
    (2) JAMES ANDREW JOHN LAURENCE CHARLES, who succeeded as eighth Viscount.
5. *John*, born 22 June 1725; died, unmarried, and was buried at Stanmore 6 December 1743.
6. *Andrew*, born 17 September 1726, died unmarried.
7. *Robert*, born 13 November 1728; he was a partner in his uncle's bank at Charing Cross, and was proprietor of Cadland, in Hampshire. He died at London 19 January 1804, having married, 22 April 1753,[3] Winifred, daughter of William Thompson of Ipston, co. Oxford, and by her, who died 2 April 1791,[4] had issue, besides two sons who died *s.p.* and one daughter:—
    (1) *Andrew Berkeley* of Cadland, banker; born 11 September 1755; died 27 December 1833, having married, 2 April 1781, Mary, daughter of John, second Earl of Egmont. She died 18 September 1839, leaving issue, besides two daughters:—
        i. *Andrew Robert* of Cadland, born 28 July 1794; and died 20 June 1865, having married, 7 March 1822, Elizabeth Frederica, daughter of John Henry, fifth Duke of Rutland. He had by her, who died 20 March 1886, besides two daughters, the following sons:—
            (i) *Andrew John*, born 13 May 1823, died *s.p.* October 1910.

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[1] *Episcopal Reg. of Baptisms*, Muthill, privately printed 1887; the dates of births of all the other children are taken from the same register.
[2] *Scots Mag.* [3] *Ibid.* [4] *Ibid.*

(ii) *Edgar Atheling* of Cadland, born 21 August 1825; lieutenant R.N.; died 10 May 1893, having married, 25 November 1858, Louisa Theodosia, daughter of Lowther Augustus John (Pennington), third Lord Muncaster. She died 17 June 1886, leaving issue, besides four daughters:—

a. Andrew Cecil of Cadland, born 28 January 1865.

b. Maldwin, born 9 March 1872; married, 3 September 1908, —— daughter of Louis C. Huck of Chicago, and widow of Marshall Field, Jun., of Chicago.

c. Cyril Augustus, born 5 April 1873; married, 13 December 1897, Edith Belle, daughter of L. T. Wilkins of Southampton, with issue one daughter.

d. Henry Ludovic, R.N., born 16 October 1874, died 29 February 1896.

(iii) *Alfred Manners*, born 28 August 1829; was captain Rifle Brigade, and served in the Crimea; married, 5 July 1878, Augusta, third daughter of Robert Verschoyle of Kilberry, Ireland. She died *s.p.* 28 April 1908.

(iv) *Sir Victor Arthur Wellington*, K.C.M.G., C.B., H.M. Resident Minister at Munich and Stuttgard; born 4 June 1833; died *s.p.* 22 March 1907, having married, in 1882, Elizabeth, daughter of Charles Lamson of New York.

(v) *Cecil George Assheton* of Enderby Hall, Leicester, born 14 April 1839, and died 6 December 1903, having married, 26 October 1871, Charlotte Emilia, daughter of William Leigh Brook of Meltham Hall. They had issue five sons and seven daughters. All the sons died *s.p.*, except

a. Eric Roderick Brook, born 22 May 1884; married, in February 1905, Frederica Lilian Norris, with issue two sons.

ii. *William Charles*, born 14 July 1796; died 4 January 1881, leaving one son, *William Charles*, who married, but has no male issue.

(2) *Charles*, born 24 June 1759; a banker in London; died 2 March 1823, having married, 26 July 1789, Frances Dorothy, daughter of the Rev. Edward Lockwood of Dew's Hall, Essex, and by her, who died 24 February 1831, had issue, besides three daughters:—

i. *Charles*, born 4 September 1790, and died 28 August 1858; having married, 15 July 1819, Mary Dulcibella, daughter of William Morton (Eden), first Lord Auckland. By her, who died 20 March 1862, he had issue, besides two sons who died *s.p.* and three daughters:—

(i) *Robert*, born 26 July 1822, and died 29 April 1881; having married, 25 April 1854, Augusta Charlotte, daughter of Colonel C. Mackenzie Fraser of Castle Fraser, with issue, besides two daughters:—

a. *Charles*, born 17 February 1855; married, 7 September 1892, Caroline Elizabeth, eldest daughter of Colonel Gerard E. Boyle, with issue a son and daughter.

b. *Wingfield Fraser*, born 22 September 1861.

c. *Kenneth Mackenzie*, born 9 September 1862.

(ii) *Maurice*, C.B., born 9 July 1825; died 18 May 1891, having married, 12 January 1847, Adelaide, daughter of Thomas (Lister), second Lord Ribblesdale, with issue, besides five daughters:

a. *Lister Maurice*, born 23 August 1856.

(iii) *Walter*, born 5 July 1830; died 23 April 1883, having married, 8 July 1852, Isabella Mary, daughter of Lionel Charles Hervey, with issue, besides three sons who died *s.p.* and four daughters, a son,

a. *Henry Walter*, born 17 June 1867; married, 24 October 1903, Mary Louisa Margaret, only daughter of Theophilus John Levett of Wychner Park.

(iv) *Rev. Morton*, rector of Wanstead, Essex, born 8 February 1832; died 23 March 1898, having married, 5 December 1861, Caroline, daughter of Morgan Popkin Traherne of Coytrahen, co. Glamorgan, with issue, besides two daughters:—

a. *Edmund Traherne*, born 1 January 1864; married, 11 June 1892, Isabel Henrietta, daughter of William Knights of Nethercote, with issue two daughters.

b. *Gerald Morton*, born 17 April 1866; married, 27 June 1896, Alice Edith, daughter of Colonel W. T. Marshall of Gidea Hall, with issue three sons.

ii. *Edward*, born 30 March 1792; private secretary to Sir Robert Peel, for whom he was shot in mistake by a lunatic 25 January 1843.[1]

iii. *Berkeley*, born 27 May 1796; died 3 May 1860, having married, 5 April 1832, Maria, daughter of William Arthur Crosbie. She died *s.p.* 3 May 1860.

iv. *Rev. Arthur*, rector of Charlton, born 20 August 1797; died 26 February 1862, having married, first, 13 May

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[1] *Dict. Nat. Biog.*

1830, Margaretta Maria, daughter of Sir Thomas Maryon Wilson, Bart. She died 6 August 1854, and he married, secondly, 14 September 1857, Caroline Eliza Moring, daughter of Robert T. Moring Grey of Barnfield. She died 7 April 1906. By his first wife he had issue, besides five daughters:—

(i) *Charles Spencer*, born 9 December 1834; married, 28 October 1862, Mary, daughter of John Stuart Innes of Grafton, Canada West, with issue three daughters.

(ii) *Rev. Arthur Hislop*, hon. canon of Christ Church, Oxford; born 5 April 1843; married, first, 28 October 1868, Armynel Mary, daughter of the Rev. Charles F. R. Baylay. She died 31 March 1876; and he married, secondly, 17 June 1878, Anna Harriet, daughter of the Rev. William Dodsworth. By his first wife he had issue:—

a. Arthur Berkeley, born 27 November 1869; married, 18 January 1894, Edith Charlotte, daughter of Sir Henry E. F. Lambert, Bart., with issue two sons.

By his second wife Canon Drummond had issue

b. Malcolm Cyril, born 24 May 1880; married, 27 June 1906, Zina Lilias, daughter of George Macartney Ogilvie, I.C.S., with issue one daughter.

(3) *Rev. Henry Roger*, rector of Fawley, Hants; died 27 July 1806; married Susannah, daughter of William Wells of Bickley, co. Kent. She died 15 November 1808, having had issue one daughter and two sons, one of whom died young, and the other married, with issue three daughters.

5. *Henry* of the Grange, Hants, banker in London; died 24 June 1795,[1] having married, 21 March 1761, Elizabeth, daughter of the Hon. Charles Compton. She died 25 March 1819, leaving issue:—

(1) *Henry*, banker, London; born 13 January 1762, and died 4 July 1794; having married, 13 February 1786, Anne, daughter of Henry, first Viscount Melville, and by her, who married, secondly, 18 December 1798, James Strange, and died January 1852, had issue, besides two sons who died *s.p.m.* and a daughter, a son,

i. *Henry* of Albury Park, born 5 December 1786. He became celebrated as a singularly independent if somewhat eccentric politician, but principally on account of his having been one of the most enthusiastic followers of the Rev. Edward Irving, and one of the founders

[1] *Gentleman's Mag.*

of the Catholic Apostolic Church; for that body he built a church at Albury, at his own expense, costing £16,000. Carlyle described him as 'a singular mixture of all things—of the saint, the wit, the philosopher—swimming, if I mistake not, in an element of dandyism.'[1] To genealogists he is chiefly remarkable as the projector of a *History of Noble British Families*. Of this work, however, only two parts appeared; the scale on which it was designed was too sumptuous to enable it to be carried through with any chance of success. Mr. Drummond died at Albury 20 February 1860, having married, 23 June 1807, Henrietta, daughter of Robert (Hay-Drummond), ninth Earl of Kinnoull, with issue three sons, who died *s.p.*, and two daughters.

VIII. JAMES, fifth Viscount Strathallan, who was attainted in 1746 under the designation of James Drummond, eldest son of William, Viscount of Strathallan, though as a fact he was, at the time when the Act of Attainder was passed, Viscount of Strathallan himself. It was ultimately held by the House of Lords, as will be mentioned presently, that the inaccuracy of the designation did not affect the validity of the forfeiture. He died at Sens, in France, 22 June 1765, having married, in or before 1752, Euphemia, daughter of Peter Gordon of Abergeldie. By her, who died at Machany 5 July 1796, he had issue:—

1. JAMES, sixth Viscount.
2. *William*, died young.
3. ANDREW JOHN, seventh Viscount.
4. *Charles*, died young.
5. *John*, died young.
6. *Margaret*, married, in December 1779, to George (Cockburn) Haldane of Gleneagles, advocate.
7. *Louisa*, died young.
8. *Elizabeth*.

IX. JAMES, who would, but for the attainder, have been sixth Viscount Strathallan, was an officer in the Royal Navy, and died, unmarried, 10 December 1775, aged twenty-three.

X. ANDREW JOHN, who would, but for the attainder, have been seventh Viscount Strathallan, was born 1758.

[1] Froude's *Life of Carlyle*, ii. 177.

He had an ensign's commission in the 3rd Foot Guards in 1773, and remained in that regiment for twenty-eight years, ultimately becoming its lieutenant-colonel. He served in America under Sir William Howe in 1776 and 1777, and on the Continent in the campaigns 1793 and 1794. He was major-general on the North British Staff 1795-1802; colonel of the 5th Foot 1801; lieutenant-general 1802; colonel of the 11th Veteran Battalion 1807; Governor of Dumbarton Castle 1810; and General in the Army 1 January 1812. In 1787 he petitioned that the Peerage honours might be adjudged to him, but on a reference to the Committee for Privileges it was found that the forfeiture of his father, the fifth Viscount, was valid, and the petition was accordingly refused, 12 May 1790. The general died, unmarried, 20 January 1817. The succession to the Peerage would then, but for the attainder, have opened to

XI. James Andrew John Laurence Charles Drummond, second, but eldest surviving, son of William Drummond, third son of the fourth Viscount. He was born 24 March 1767; went to China, and was for long the Chief of the British settlement at Canton. He was M.P. for Perthshire 1812-24. On the death of his cousin in 1817 he did not assume the title, but on 17 June 1824 an Act of Parliament was passed reversing the attainder of 1746, so that he then became Viscount of Strathallan, Lord Maderty, and Lord Drummond of Cromlix. He sat as a Representative Peer of Scotland from 1825 to 1851. He died at Strathallan Castle 14 May 1851, aged eighty-four, having married, 15 January 1809, Amelia Sophia, third daughter of John, third Duke of Atholl. She, who was born 5 July 1780, died at Strathallan 19 June 1849, leaving issue:—

1. William Henry, ninth Viscount.
2. *Sir James Robert*, born 15 September 1812; entered the Navy, and was appointed Rear-Admiral 11 January 1864; Vice-Admiral 2 June 1870; and Admiral 22 January 1877. He was Lord of the Admiralty 1861-66; Gentleman Usher of the Black Rod; K.C.B. 24 May 1873; G.C.B. 23 April 1880; died 7 October 1895, having married, 5 February 1856, Catherine, daughter of Admiral the Hon. Sir

George Elliot, K.C.B. They had issue, besides three daughters:—

(1) *Laurence George*, C.B., M.V.O., born 13 March 1861; a colonel in the Army; formerly 3rd Battalion Scots Guards. Married, 5 May 1886, Katherine Mary, daughter of the late Hugh Lindsay Antrobus, with issue, besides two daughters:—

i. *Lindsay*, born 31 January 1891.
ii. *James Arthur Laurence*, born 21 July 1905.

3. *Sir Edmund*, K.C.I.E., born 17 January 1814; Lieutenant-Governor North-Western Provinces 1863-68; died 10 January 1895, having married, 16 November 1837, Julia Mary, daughter of J. C. C. Sutherland of Calcutta. She died 30 November 1898, having had issue:—

(1) *James Sutherland*, born 2 September 1838; died 2 March 1882.
(2) *Edmund Charles*, Admiral R.N.; born 4 August 1841; A.D.C. to Queen Victoria 1890-92; married, 4 July 1872, Dora, eldest daughter of John Naylor of Leighton Hall, by whom he has issue, besides two daughters:—

i. *John Edmond*, born 5 July 1873, captain R.N.; married, 1910, Olive, daughter of Sir Campbell Munro of Lindertis, Bart.

(3) *Francis Colebrooke*, born 6 November 1846; captain Devonshire Regiment and 7th Dragoon Guards; married, 23 June 1875, Marcia, only daughter of Sir George de la Poer Beresford, Bart., and assumed the name of Beresford Drummond. She died, *s.p.*, 29 June 1908.
(4) *Maurice Henry*, born 24 April 1857, died 24 October 1863.

4. *Francis Charles*, born 9 September 1815; died *s.p.* 26 October 1904, having married, 8 February 1849, Charlotte Mary Atholl, daughter of the Very Rev. Sir Herbert Oakeley, Bart.
5. *Robert Andrew John*, born 4 August 1820; died 29 June 1887, having married, 8 November 1854, Anna Maria, daughter of Compton Reade. She died 22 April 1871, having had issue, besides one daughter:—

(1) *Frederick*, born 22 December 1855, died 21 September 1856.
(2) *Malcolm*, born 22 March 1857.
(3) *Rev. Henry Murray*, born 1 March 1858; rector of Byford, Hereford; married, 16 October 1888, Catharine Gamand, daughter of James Gwillim, with issue one son and two daughters.

(4) *Walter John*, born 24 June 1861.
(5) *Robert Hugh*, born 25 May 1862.
(6) *Herbert Charles*, born 4 May 1864.
(7) *Arthur David*, born 13 October 1865.
(8) *Maurice Frederick*, born 22, and died 31, December 1866.
(9) *Rev. Ernest George*, born 15 May 1868.

6. *Frederick*, born 23 April 1822; served in the H.E.I.C.S.; died 15 May 1848.
7. *Marianne Jane*, born 6 July 1811; married, 18 January 1842, George Drummond Graham, K.H., of Inchbrackie. He died 20 December 1854, and she died 19 May 1876, leaving issue.
8. *Emily Anne*, born 10 June 1818; died 17 June 1829.

XII. William Henry, ninth Viscount of Strathallan, born 5 March 1810; ensign Scots Guards 21 December 1826; lieutenant 36th Foot June 1828; Representative Peer for Scotland from 1853 till his death; Lord-in-waiting to Queen Victoria 1858-59, 1866-68; died 23 January 1886, having married, 25 July 1833, Christina Maria Hersey, sister of Sir David Baird, second Baronet of Newbyth, and by her, who died 14 February 1867, had issue:—

1. James David, tenth Viscount of Strathallan.
2. *William Henry*, born 1 August 1845; killed in Zulu war 4 July 1879.
3. *Robert Charles*, late captain Seaforth Highlanders, born 2 September 1850.
4. *Amelia Anne*, born 12 January 1836; married, 13 April 1858, to Lieut.-Col. Charles Greenhill-Gardyne of Finavon, with issue.
5. *Margaret Alice*, born 12 September 1841; died, unmarried, 24 August 1875.
6. *Hersey Annabella*, born 23 October 1846.
7. *Francis Mary*, born 1 July 1848; Maid-of-honour to Queen Victoria 1872-1901.

XIII. James David, tenth Viscount of Strathallan, born 23 October 1839; entered the Army, and retired as lieut.-colonel 6th Dragoon Guards; died 5 December 1893, having married, first, 11 February 1868, Ellen, second daughter of Cudbert Bensley Thornhill, C.S.I.; she died 5 June 1873,

and he married, secondly, 27 October 1875, Margaret, eldest daughter of William Smythe of Methven.

By his first wife he had issue:—

1. WILLIAM HUNTLY, who succeeded as eleventh Viscount of Strathallan, and ultimately as fifteenth Earl of Perth. (*See that title.*)

By his second wife the Viscount had:—

2. *James Eric*, born 17 August 1876; Clerk in Foreign Office; married, 20 April 1904, Angela Mary Constable-Maxwell, second daughter of Lord Herries, and has issue:—

   (1) *John David*, born 13 May 1907.
   (2) *Margaret Gwendolen Mary*, born 5 May 1905.

3. *Maurice Charles Andrew*, born 30 November 1877; married, 4 May 1904, Ida Mary, third daughter of George J. Drummond of Swaylands, with issue:—

   (1) *Maurice James David*, born 17 November 1907.
   (2) *Myra*, born 15 April 1905.

4. *Edmund Rupert*, born 8 May 1884; lieutenant Royal Navy 1906. Married, 11 May 1910, Evelyn Frances, daughter of Lord James Arthur Butler, and granddaughter of John, second Marquess of Ormonde.
5. *Margaret Cicely*, born 13 February 1880.
6. *Sybil Frances*, born 20 December 1881.

XIV. WILLIAM HUNTLY, eleventh Viscount of Strathallan, was born 3 August 1871; succeeded his father in 1893, and his kinsman, the Earl of Perth and Melfort, as fifteenth Earl of Perth, in 1902.

CREATIONS.—Lord Madertv, 31 January 1609; Viscount of Strathallan and Baron Drummond of Cromlix, 6 September 1686.

ARMS (not recorded in Lyon Register). The first Lord Maderty bore on his seal a fess composed of three barrulets wavy, and in base a thistle slipped and leaved.[1] On another seal of the same Lord appear three bars wavy, with a lion's head erased in chief.[2] Nisbet and Peers' Arms (Lyon

[1] *The Oliphants in Scotland*, 146, ill. [2] Macdonald's *Scottish Armorial Seals*, 768.

Office) MS. give the Strathallan coat as: Quarterly, 1st and 4th, or, three bars wavy gules for *Drummond*; 2nd and 3rd, or, a lion's head erased within a double tressure flory counterflory gules, as a coat of augmentation. Sir James Drummond of Machany, the direct ancestor of the present family, recorded arms in 1672, or, three bars wavy gules, on a canton of the first a lion's head erased of the second, langued azure, within a double tressure flory counterflory also of the second, a crescent of the third for difference: the motto being *Primo mori quam fidem fallere.*

CREST.—Nisbet gives for Lord Maderty a falcon proper, armed, jessed and belled or: and for Strathallan a gos-hawk, with wings displayed proper; but he remarks that 'in some paintings his crest is a falcon standing upon one foot, and holding up with the other a garland of laurel.' In the Peers' Arms MS. above referred to the crest is given as a gauntleted hand azure, holding a wreath of laurel proper.

SUPPORTERS.—Two savages, wreathed about the head and middle with oak leaves, and carrying clubs over their exterior shoulders.

MOTTO.—*Lord have mercy.* Nisbet gives an alternative motto, *Virtutem coronat honos.*

[J. B. P.]

THE ANCIENT EARLS OF STRATHEARN

STRATHEARN with its companion district of Menteith formed the northern and larger portion of the ancient Fortrenn, one of the seven provinces into which Alban or Scotland north of the Forth was divided by the old chroniclers. One of these, who wrote about 1150, was the contemporary of the second Earl of Strathearn, and in his day the inhabitants were still called the men of Fortrenn, and Dundurn, at the east end of Loch Earn, was their chief stronghold. The men of the district played an active part in the frequent conflicts which then composed much of the history of Scotland, but there is no account of the rulers of the province until towards the close of the reign of King Alexander I. Between 1120 and 1124 that monarch founded a priory at Scone, and among the witnesses to the foundation[1] there appears an Earl of the name of Mallus or Malise, who, by the light of other evidence, can be connected with the earldom of Strathearn.

I. Malise, Earl of Strathearn, thus comes somewhat suddenly on the stage of history, and nothing is known of

[1] Early Scottish Charters, No. xxxvi.

his parentage or descent; nor can he be connected with the Mormaership of his province. He was also a witness to another writ granted to the new priory between January and April 1124.[1] The accession of King David I. to the throne brought to his court a number of Normans, and for some years the name of Earl Malise is not mentioned, but in 1128 he and four other Celtic Earls appear in the great charter to the Church of Dunfermline.[2] Two years later he is again a witness to a grant to the same church,[3] and he was also present at the dedication of the Church of Glasgow on 11 July 1136.[4] The witnesses to this ceremony were also largely Celtic, including at least three Galwegian chiefs, an interesting fact, as the next notice of Malise, now fully described as Earl of Strathearn, is his taking the part of the Galloway men at the battle of the Standard on 22 August 1138. He also declared he would fight without armour in the van of the army, but as is well known his bravery was futile against the well-armed Normans, and the Scots were defeated. The Earl survived the battle, and was present at Perth on 14 June 1141,[5] when King David, with consent of his son Henry and other magnates, granted the lands of Clerkington to the Church of Haddington. After this date, however, the Earl disappears from history. The name of his wife is not known, but he was succeeded by

II. FERTETH or Ferquhard, who was probably son of Malise. Earl Ferteth frequently appears in charters, and from him the descent is established. He does not, however, appear in history until 1160, when he came to the Parliament held at Perth, and for some reason, still obscure, headed with five other Earls an attack on King Malcolm IV., whom they unsuccessfully besieged in the castle of Perth. The assembled clergy intervened, and the Earls and the King were reconciled.[6] An old chronicler tells us the Earls were actuated by no selfish or treasonable motive, but they believed that the common weal was endangered by Malcolm's friendship with King Henry II. of England, and they

[1] Early Scottish Charters, No. xlix. [2] *Ibid.*, No. lxxiv. [3] *Ibid.*, No. xciv. [4] *Ibid.*, No. cix., p. 348. [5] *Ibid.*, No. cxxxiv. [6] Fordun, ed. 1871, i.; ii. 430.

were afraid of Scotland becoming vassal to England. Earl Ferteth is believed to have taken great interest in ecclesiastical affairs, and to have been mainly instrumental in erecting his own neighbourhood into a diocese called at first Strathearn, then Dunblane, the first bishop of which appears in 1155.[1] The Earl died in 1171.[2] His wife's Christian name was Ethen[3] or Ethne, but her family has not been ascertained. They had issue:—

1. GILBERT, Earl of Strathearn.
2. *Malise*, styled in some charters son of Earl Ferteth, and in others brother of Earl Gilbert. He appears as a benefactor to the two abbeys of Lindores and Inchaffray. To the former he granted the lands of Rathangothen in Perthshire,[4] and various minor benefits, and as to the latter he consents as a witness to most, if not all, his brother's donations.[5] He himself owned Muthil, Ogilvy, Kincardine, Rossie, and other lands in Perthshire.[6] He granted to the monks of Arbroath a half merk of silver yearly from his fishing of Ure.[7] He died before 1214, having married Ada, a natural daughter of David, Earl of Huntingdon, who granted a piece of land to the Abbey of Lindores that her body might be buried there.[8] It does not appear that they had issue.
3. *Christian*, said to have been wife of Walter Olifard, is assigned by Lord Strathallan as a daughter of Earl Ferteth. She is said to have brought to her husband the parish of Strogeith or Blackford, which his son Walter exchanged with her brother Gilbert, Earl of Strathearn, who granted the church, etc., to the monks of Inchaffray.[9]

III. GILBERT, Earl of Strathearn, who succeeded to his father Ferteth, first appears on record, in his father's lifetime, as a witness to a charter by King Malcolm in 1164 to the monks of Scone.[10] He is said to be the Earl Gilbert who in 1190 is named as Justiciary, but otherwise his name

[1] *Charters of Inchaffray*, Pref. lvi. [2] *Chron. de Mailros*, 84. [3] *Charters of Inchaffray Abbey*, Scot. Hist. Soc., 2, 13. [4] *The Chartulary of Lindores*, Scot. Hist. Soc., 32 *et passim*. [5] *The Chartulary of Inchaffray*, *passim*. [6] *Ibid.*, 153. [7] *Reg. Vet. de Aberbrothoc*, 58. [8] *Chart. of Lindores*, 38. [9] *Hist. of House of Drummond*, 32. [10] *Liber Ecclesia de Scion*, 8.

scarcely occurs in public record, though between 1178 and 1185 he received from King William a grant of the lands of Kinveachy,[1] and between 1211 and 1214, he had from the same King the lands of Ure and Lethindie, which had belonged to his brother Malise.[2] In 1185 he had a charter of Maderty.[3] He was active, however, in ecclesiastical affairs, and showed an interest in various ways in the recently founded Abbey of Lindores, while in 1200 he himself founded an abbey for Austin canons on his own lands at Inchaffray, substituting them for the elder Culdee brethren who had a dwelling there. He also was a benefactor to the cathedral of Dunblane. But the story of his benefactions and foundations is more fully told in other recent works,[4] and need not be repeated here. The Earl died in 1223, at the estimated age of seventy-three, a great age for the period at which he lived, testifying to a comparatively peaceful career. He married, first, Matilda, daughter of William d'Aubigny. She witnessed many of his charters to Inchaffray up to the year 1210.[5] He married, secondly, Ysenda, a lady who held lands in Abercairney, and had two brothers Sir Richard and Galfrid of Gask.[6]

Earl Gilbert had issue :—

1. Gilchrist, who received from his father the lands of Kinveachy and Glencairnie.[7] He also appears as a witness to a charter by his father granting the church of St. Cathan at Aberruthven to the brethren of Inchaffray, before or about 1198, and died on 5 October in that year.[8]
2. *William*, who, with his brothers Ferthed and Robert, witnesses several of his father's charters to Inchaffray between 1199 and 1208, but apparently died soon after that date, or before 1210, without issue.[9]
3. *Ferthed* or *Ferteth*, named in same charters as his brother William, and apparently died about same time,[10] without issue.
4. Robert, son and heir in 1210, who became Earl of Strathearn.

[1] *Chiefs of Grant*, iii. 1. [2] *Seventh Rep. Hist. MSS. Com.*, App. 704. [3] *Charters of Inchaffray*, 241. [4] *Ibid.* and *Chartulary of Lindores Abbey*, Scot. Hist. Soc. [5] *Charters of Inchaffray*, 25. [6] *Ibid.*, No. xlvi. [7] *Chiefs of Grant*, iii. 1. [8] *Charters of Inchaffray*, 2, 8. [9] *Ibid.*, 3, 24, 25. [10] *Ibid.*

5. *Fergus*, a witness to several charters before 1223,[1] also between that and 1247. He confirmed the grant which was made to the Abbey of Arbroath[2] by his uncle Malise, to whom he appears to have succeeded. He certainly held Oughtermakan or Oughtermachany, which belonged to his uncle, and from it he granted, about 1247, a chalder of oatmeal for the use of the monks of Inchaffray.[3] He also made grants to the Abbey of Lindores, from lands formerly held by his uncle. He received the rank of knighthood, and died about 1247, or perhaps a little later.[4]

6. *Malise*, who appears as a witness to charters by his father in 1203-8 and 1219; also to three others by his brother Robert about 1220 and 1223-24.[5] He witnessed in August 1234 a writ by Clement, Bishop of Dunblane, remitting certain teinds to the monks of Inchaffray.[6] He also obtained the rank of Knight before 1247, when he witnessed the general confirmation made by his nephew Earl Malise to the abbey.[7] He was Laird of the lands of Rossie, derived apparently from his uncle Malise, and he made a grant from these lands about 1272,[8] after which he disappears from history. His wife is not known, but he had two sons:—

   (1) *Malise*, who probably succeeded him.
   (2) *Nicolas*, rector of the Church of Crieff.[9]

7. *Gilbert*, who probably appears in 1203-8,[10] and certainly in writs of 1218 and 1219 as a witness to charters by his father. In 1213 he was living in England as a hostage for the King of Scots, being in charge of William d'Aubigny. The latter died in 1215, and Gilbert is later found in Scotland. He received from his father the lands of Glencairnie in Strathspey, which had belonged to his brother Gilchrist, and on 12 September 1232 entered into agreement with

[1] *Charters of Inchaffray*, 24, 26-29, 31-33, 36. [2] *Reg. Vet. de Aberbrothoc*, 59. [3] *Charters of Inchaffray*, 66. [4] *Ibid.*; cf. *Chart. of Lindores*, Nos. 23, 24, 25, 28, and 32. [5] *Charters of Inchaffray*, Nos. 25, 39, 41, 51, and 52. [6] *Ibid.*, No. 61. [7] *Ibid.*, No. 76. [8] *Ibid.*, No. 102. [9] *Ibid.* [10] In the Preface to the *Charters of Inchaffray*, lxi, a son 'Gilchrist' is inserted, who appears once and only once, in a writ of 1203-8, but taking all things into consideration, the present writer thinks Gilchrist is a mistake for Gilbert.

Andrew, Bishop of Moray, as to these lands. He was knighted, and adopted the name of his estate as a surname. The name of his wife is not known, but he had issue a son Gilbert, and the family ended in an heiress, Matilda of Glencairnie, who was the mother, about 1413, of Duncan Grant of Freuchie, ancestor of the Grants, Earls of Seafield.[1]

8. *Matilda*, named in two of her father's charters to the Abbey of Inchaffray about 1200. She married Malcolm, who became Earl of Fife in 1204.
9. *Cecilia*, married to Walter Ruthven, son of Alan. (*See title* Gowrie.)
10. *Ethna*, first wife of David Hay, second of Erroll, was probably a daughter of Earl Gilbert. (*See title* Erroll.)

IV. Robert, fourth Earl of Strathearn, appears, with his elder brothers, as a witness to his father's charters to Inchaffray so early as 1199, and between that date and 1210, when he is styled son and heir, and he continues to be named as a witness at intervals till he succeeded his father about 1223.[2] In 1219 he confirmed as heir-apparent all his father's grants to the abbey, and after his accession he bound himself never to disturb the monks in their possessions.[3] Besides granting charters and otherwise taking part in the affairs of the monastery, he appears on a wider sphere, when on 25 September 1237 he was with King Alexander II. at York, and was a witness to the treaty with Henry III. as to Northumberland.[4] The treaty was ratified in 1244, but by that date the Earl was dead, as his successor was then one of the witnesses. His wife's name has not been ascertained, but she survived him, and was alive in 1247, perhaps later.[5] They had issue:—

1. Malise, who succeeded.
2. *Hugh*, who in 1257 is described by Earl Malise as his brother and also as Friar Hugh.[6] He is named in a writ about 1268, presently to be referred to, as Hugh, Prior of Inchaffray, and may have survived till 1290, but was dead before 1296.[7]

[1] Fraser's *Chiefs of Grant*, i. xlviii-li, 54, 55. [2] *Charters of Inchaffray*, 3, 8, 14, 15, 18, 24, 25; also 26, 31, 33, 37. [3] *Ibid.*, 35, 41. [4] *Fœdera*, Rec. ed., i. 233. [5] *Charters of Inchaffray*, No. 76. [6] *Ibid.*, No. 86. [7] *Ibid.*, 251.

3. *Gilbert*, who is named with his brothers Hugh and Earl Malise in charters by the latter. Between the years 1266 and 1269, but not later, he, as son of Robert, Earl of Strathearn, received a grant from Reginald le Chene the younger of the lands of Durie in Fife.[1] He had also in 1268, when he had the rank of knighthood, a grant from his brother Earl Malise of the lands of Belnollo in Foulis parish.[2] It would appear that Belnollo afterwards belonged to the Duries of that Ilk, who were probably descended from this Sir Gilbert.
4. *Annabella*, married, first, to John of Lestalrig or Restalrig, who died before 1260, having become fatuous.[3] They had issue. She was married, secondly, before 1260, to Sir Patrick Grahame of Kincardine[4] (*see title* Montrose), who was killed in the battle of Dunbar 27 April 1296. On 28 August, as Sir Patrick's widow, she swore fealty to the English King, and later she petitioned for restoration of lands and dower. (*See title* Montrose.)
5. *Mary*, married to Sir John Johnstone, Knight, as appears from his confirming a grant by her of one hundred shillings of silver yearly from her lands of Strathy to the monks of Inchaffray.[5] She had a grant from her brother, Earl Malise, on 21 February 1268-69.[6]

V. Malise, fifth Earl of Strathearn, first appears on

[1] This appears from an inventory of the writs of Durie of date about 1669, preserved in the General Register House, Edinburgh (Inventories of Titles, iii. No. 16). The entry is interesting and, the spelling being somewhat modernised, may be given at length:—'Charter by Adam of Kilconquhar, Earl of Carrick, confirming a charter "by Reynold le Cheine, son of Reynold le Cheine, son of Henry le Cheine," to Gilbert, son of Robert, Earl of Strathearn, of his lands of Durie in the shire of Scoonie in Fife, which lands were disponed by Duncan, son of Duncan, Earl of Fife, to Sir Hugh of . . . . in marriage with Annabella, his daughter, the charter confirmed being engrossed and both wanting dates. Witnesses (to the Earl of Carrick's grant), Robert, Bishop of Dunblane, Allan, abbot, and Hugh, prior of the "Ile" (Inchaffray), Sir Alexander Comyn, Earl of Buchan, Sir (Malise), Earl of Strathearn, Sir William, Earl of Mar, Sir William of Brechin.' The writ must be between 1266 and 1269. [2] *Charters of Inchaffray*, 86, 288; cf. 159. [3] *Rotuli Scotiæ*, Rec. ed., i. 19; *Acta Parl. Scot.*, i. 446. [4] It has been alleged that Annabella's husband was Sir David Grahame, but the evidence is clear that she wasthe wife of his son Sir Patrick. [5] *Charters of Inchaffray*, No. cxvi. The writ is dated 3 June 1284. [6] *Ibid.*, 159.

record as one of those Scottish nobles who, about August 1244,[1] promised to observe the treaty of 1237, already referred to, and he was present in the Parliament of Scotland in February 1244-45.[2] He was one of those Earls who took part in the coronation of the young King Alexander III., and he supported the party of the English King in the change of government on 20 September 1255. He was high in favour with King Henry III., and was deputed by him to attend specially on the young Queen of Scotland.[3] He had a safe-conduct from the English King to go abroad in May 1259,[4] but had returned in the following year. His grants to the monastery of Inchaffray were considerable. In 1247 he confirmed the gifts of his predecessors. In December 1257 he bestowed on the monks the advowson of the church of Cortachy in Forfarshire, which he had acquired by marriage, and in March following he gave certain serfs to them in property. In 1266 he gave them rights of building from the quarry of Nethergask; in 1268 and 1270 he granted certain annualrents, and he died between that and 23 November 1271.[5] One chronicler says that he died in France, praising him as a man distinguished by birth and generosity, and munificent above all his compatriots. His remains were brought home to Scotland and buried in Dunblane.[6]

This Earl married, first, Marjory, daughter and one of the coheiresses of Sir Robert de Muschamp. The marriage must have taken place about 1243 or 1244, as on 20 March 1254-55 it was testified that Muriel, their eldest daughter, had reached the age of ten.[7] The Countess died before the last date, and the Earl married, secondly, before December 1257, Matilda, daughter of the late Gilbert, Earl of Caithness and Orkney.[8] In 1261-62 and 1267 his third Countess is styled Emma.[9] No evidence of her parentage has been discovered. In 1268 he married, as his fourth wife, Mary or Maria, daughter of Ewen of Argyll, and widow of Magnus, King of Man.[10] She survived the Earl and became

[1] *Fœdera*, Rec. ed., i. 371. [2] *Acta Parl. Scot.*, i. 403. [3] *Cal. Doc. Scot.*, i. Nos. 2013, 2229, etc. [4] *Ibid.*, No. 2156. [5] *Charters of Inchaffray*, Nos. 76, 77, 86-88, 95-98. [6] Fordun à Goodall, ii. 114. [7] *Cal. Doc. Scot.*, i. 375. [8] *Charters of Inchaffray*, No. 86. [9] *Cal. Doc. Scot.*, i. Nos. 2283, 2451. [10] *The Charters of Inchaffray*, No. 96, show that Ewen of Argyll was at Crieff with Earl Malise on 4 April 1268, which coincides with the alleged date of the marriage.

the wife of Sir Hugh Abernethy of that Ilk.[1] He died before 1293, and his widow married William Fitzwarin, an Englishman, who died about 1299. She herself died in 1304-5.[2]

He had issue:—

1. MALISE, who succeeded as sixth Earl, the son, there is good reason to believe, of the second marriage.
2. *Robert*, who appears in a writ of date 31 October 1284 as brother of Earl Malise. It was probably he who in August 1296 did homage for lands in Perthshire.[3] He was still alive in 1306, when he witnessed a charter by his brother the Earl.[4]
3. *Muriel*, elder daughter and coheiress of Marjory Muschamp, the Earl's first wife, born in 1244; married (after 1267), as his second wife, to William, Earl of Mar, who died in 1281. She survived him, dying between May and November 1291, without issue. (*See title* Mar.)
4. *Maria*, born about 1248, as she was six years old in March 1254-55,[5] coheiress with her sister Muriel; married, before 1269, to Nicholas, afterwards Sir Nicholas Graham of Dalkeith and Abercorn. He died soon after 1303, and she survived him till between 1314 and 1318. In 1291 she became heir of her sister Muriel. (*See title* Montrose.)
5. *Cecilia*, who appears as daughter of Earl Malise in a charter (dated between 1258 and 1271) by which he grants to her the lands of Kelour in Foulis, Perthshire.[6]

VI. MALISE, sixth Earl of Strathearn, who succeeded in 1271, was probably born about 1257 or perhaps later.[7] He is named as Earl first in public record in 1281 as taking a prominent part in the treaty for the marriage of the Princess Margaret to the heir of Norway.[8] For some

[1] *Acta Parl. Scot.*, i. 446. [2] *Cal. Doc. Scot.*, ii., Nos. 1117, 1642. [3] *Liber Insule Missarum*, App. p. xxxvi; *Cal. Doc. Scot.*, ii. 200. His seal (App. i. 2 (22)) shows a chevron with other (indistinct) figures. [4] Charter to the Abbey of Cupar, *penes* the Earl of Moray. [5] *Cal. Doc. Scot.*, i. 375. [6] *Reg. Honoris de Morton*, ii. 5. In the Preface to the *Inchaffray Charters* she is given as sister of Earl Malise, but in the charter she is called his daughter. [7] Cf. *Charters of Inchaffray*, No. lxxxvi. [8] *Acta Parl. Scot.*, i. 423.

reason he does not design himself Earl until 1283, perhaps because he was not formally infeft in his earldom.[1] In that year he made special grants to the Abbey of Inchaffray to compensate it for loss of tithes, and in 1287 he accepted a decision that the abbey was the true patron of the vicarage of Strogeith which had been in dispute. In the same year he assured the monks that the military service with which they had aided him after the death of Alexander III. should form no precedent in the future.[2] During the interregnum which followed the King's death the Earl took a prominent part in State affairs and was concerned in most of the political events of the time. He is said to have been one of the leaders of the expedition into England in 1296, but seems to have escaped imprisonment, as he came to Edward I. and swore fealty, first at Stirling about 19 June, and secondly at Berwick on 28 August. Two of his sons appear in the service of King Edward I. during the next year, and were probably hostages for their father's good behaviour. On 1 August 1297 the Earl de Warenne wrote that the Earl had taken prisoner Macduff, uncle of the then Earl of Fife, and his two sons. He was much in favour with the Prince of Wales, afterwards Edward II., and in 1305 acted as Lieutenant of the Warden north of the Forth. On 25 August 1306 he was bound to produce the sons of the Steward of Scotland and the Earl of Atholl as hostages to Edward I., but ere November of that year he was imprisoned in Rochester Castle on his own charges. The reason of this appears to have been an alleged surrender on his part to King Robert Bruce. In regard to this the Earl gave a romantic explanation, that when Robert the Bruce was made King he sent to the Earl requiring him to do homage, but the latter refused. The King and the Earl of Atholl marched a force to Foulis, and Earl Malise was obliged to meet the King on a safe-conduct. The King again demanded homage, and the Earl again objected, saying he did not desire to be as frail as glass, as he would be to break his fealty to the King of England. By the advice of the Earl of Atholl the King violated the safe-conduct, and Earl Malise was placed under a guard,

[1] Cf. *Charters of Inchaffray*, Nos. cxii. cxiii. cxiv. [2] *Ibid.*, Nos. cxvii. cxviii.

and he could not enter into his isle at Kenmore as they destroyed the ways and the country. They came to Inchmahome, and still the Earl would not do homage, and Sir Robert Boyd said to the King that he should give the lands and put him to death, and cut off the head of the Earl and all others who would not do homage, and when the Earl heard that he hesitated and did their will, and they let him go. He further states that other attempts were made to capture his allegiance, Bruce in one case besieging the isle he was in and laying waste the country. The Earl declared that Bruce had thus deceived and coerced him.[1] Notwithstanding this explanation, however, the Earl was continued in prison, and though in January 1306-7 King Edward, on the petition of the Earl's wife and son, ordered an inquiry to be made, nothing was done. In November 1307 he was transferred to York, where the Countess and his son met him, but it was not till much later that he was held to be acquitted of disloyalty and set free.[2] In December 1310 and in April 1311 he received pay and gifts from the English King at Berwick.[3] He is said to have died in 1312, and as he is also said to have fought at the taking of Perth on the 28 January 1312-13, he must have died very soon after that date, or before the end of the year in March. He was, it is stated, buried in the abbey church of Inchaffray, on the right side of the high altar.[4]

The only wife assigned to the Earl in any record is a lady named Agnes,[5] the statement that he married a Marjory [Comyn] being founded on a misreading.[6] Wyntoun states that Malise, Earl of Strathearn, married the second daughter of Alexander Comyn, Earl of Buchan, sister of John, Earl of Buchan, and it is not improbable that Countess Agnes was she, and that she was also the Countess of Strathearn who figured in the Soulis conspiracy of 1320. If she were a Comyn, William Soulis, a comparatively young man, would be

[1] Palgrave, 319-332. The isle twice referred to in this statement was doubtless the Priory Isle, near Kenmore. In 1258 and 1287 the Earls are found dating charters from Kenmore (*Charters of Inchaffray*, Nos. 87 and 118). [2] *Cal. Doc. Scot.*, ii. No. 1883; iii. Nos. 22, 118. [3] *Ibid.*, iii. Nos. 192, 208. [4] See authorities cited in *Charters of Inchaffray Abbey*, Pref. lxvii. [5] *Cal. Doc. Scot.*, iii. No. 208. [6] *Charters of Inchaffray*, lxvi; cf. p. 97.

her nephew, as he was the son of Nicolas Soulis,[1] one of the Competitors for the Crown of Scotland in 1290, who married Margaret Comyn,[2] sufficient reasons for the Countess's complicity in an attempt to set him on the throne. She is said to have been imprisoned for life.[3] They had issue :—

1. Malise, who succeeded as seventh Earl.
2. *Gilbert*, who, as son of the Earl of Strathearn, is first named in a Wardrobe account of the English King's, as having his passage paid from London to 'Odymere' in August 1296, apparently in the King's train. He and his brother Robert, in the company of the Prince of Wales, received necessaries from the royal purse. Gilbert appears to have followed the King to Flanders, and was at Ghent in November 1297,[4] after which nothing is known of him. He may have died or been killed in Flanders.
3. *Robert*, named with his brother Gilbert as sons of the Earl of Strathearn, on 18 July 1296, in the company of the Prince of Wales. He and other noble youths, the sons of John Baliol and the Earl of Mar, were, by order on 12 December 1297, taken from the lodging of the Prince of Wales and imprisoned in the Tower.[5] Nothing further is recorded of him.
4. *Matilda*, married (contract dated 26 April 1293) to Robert de Toeni, son of Ralph de Toeni. John Comyn, Earl of Buchan, took part in the arrangements, which suggests that he was, as indicated above, an uncle of the bride.[6] She was under twenty. Her husband died not long before 16 January 1309-10, when, as his widow, she had certain lands restored to her. She was still alive on 14 October 1313.[7]

[1] This Sir Nicolas has often been confused with his grandfather of the same name who died in 1264. The younger Sir Nicolas was the son of Ermengarde Durward, and probably of William Soulis. He himself had three sons, *William*, the conspirator of 1320, his brother, *Sir John*, who was killed at Dundalk, and *Thomas*, who died about the same time. Margaret was the name of the Competitor's wife, and she is said by Wyntoun to have been the fifth daughter of Alexander, Earl of Buchan; *The History of Liddesdale*, by R. B. Armstrong, 123-125; *Reg. Mag. Sig.*, i. Nos. 28, 29, p. 528 *note* 2; *Cal. Doc. Scot.*, ii. No. 870; iii. No. 614. [2] *Cal. Doc. Scot.*, ii. No. 870. [3] Fordun *à* Goodall, ii. 274; cf. *Scalacronica*, by Sir H. Maxwell, 59. [4] Stevenson's *Hist. Documents*, ii. 134, 137-139. [5] *Ibid.*, 137, 252. [6] *Ibid.*, i. 394-396. [7] *Cal. Doc. Scot.*, iii. Nos. 119, 335.

VII. Malise, seventh Earl of Strathearn, is first named on record in January 1306-7, when he was with his mother at Carlisle, and they jointly petitioned for an inquiry as to his father's doings.[1] In November 1309 and January 1309-10, he is noted as receiving gifts of wine and money from King Edward II.[2] Barbour states that he and his father were both present at the siege of Perth, the father on the English side, and the son in Bruce's army. This has been doubted on the evidence of a writ which makes him receive money from the English in January 1312-13, the date of the siege, but the discovery that the writ is dated three years earlier leaves the question open and does not discredit Barbour. The latter further states that when Perth was taken, Malise went to his father the Earl and took him by force, whereupon Bruce 'gave him his in governyng.'[3] Little more is known of him, as his name scarcely ever occurs on record, but on 5 December 1318 he was witness to a charter of restitution of teinds, etc., to Henry, Bishop of Aberdeen, and he was one of the Scottish Earls who addressed the letter to the Pope on 6 April 1320.[4] He may have been the Malise, Earl of Strathearn, who is a witness to a charter by King Robert I. to Sir William Oliphant, dated 20 March 1325-26, and he may have been still alive in or about 1328, but he was dead before 1329, when his son succeeded to part of the old earldom of Caithness. (*See that title.*) The Earl was married at least twice, but the name of his first wife has not been ascertained. He married, probably as his second wife, Jean or Joanna Menteith, daughter of Sir John Menteith of Rusky. The Earl conferred upon her the lands of Cortachy, co. Forfar, a grant confirmed by King Robert Bruce about 1323 or a little later,[5] which may indicate the date of the marriage. They had no recorded issue. Countess Joanna survived her husband and married, successively, John Campbell, Earl of Atholl, who was killed at Halidon Hill;[6] Maurice Murray, created in 1344 Earl

[1] *Cal. Doc. Scot.*, ii. No. 1883. [2] *Ibid.*, iii. Nos. 121, 299, the date of which last writ assigned to 28 January 1312-13, has been found on critical examination to be wrong, and really to be of date 1309-10. [3] *The Bruce* (Jamieson's ed.), bk. vi. ll. 861-863, 954-958. [4] *Acta Parl. Scot.*, i. 474, 478. [5] *Red Book of Menteith*, i.; *Reg. Mag. Sig.*, i. 539, where approximate dates are noted. [6] *Scots Peerage*, i. 435.

of Strathearn, of whom a notice follows; and lastly, before November 1347, William, fifth Earl of Sutherland. (*See that title.*) Owing to certain difficulties as to dates, and a peculiar habit which Countess Joanna has of referring in writs granted by her in her 'viduity' when she was certainly married,[1] it has been suggested that there were two Joannas, Countesses of Strathearn, but the evidence of the various dispensations for her marriages shows clearly that they all refer to one and the same person.

Earl Malise had issue by his first wife:—

1. Malise, eighth Earl.
2. *Mary* or *Maria*, married (1319-22) to John Moray of Drumsargard. She and her husband received from her father a charter of the lands of Abercairney.[2] This grant with others was confirmed to them by her brother Earl Malise about 1330.[3]

VIII. Malise, eighth Earl of Strathearn, succeeded his father between 1323 and 1329. In February 1330-31 the English King wrote to King David II. and to the Earl of Strathearn and others, probably as members of the Council, requesting the restitution to certain noblemen of Scottish estates to which they laid claim.[4] In the same year he is debited by the Crown for the rents of a fourth-part of Caithness,[5] which shows he had succeeded to that earldom in right of his great-grandmother Matilda, daughter of Gilbert, Earl of Caithness. (*See that title.*) The request made by the English King was evaded, if not refused, and in the following year Edward III. allowed Edward Baliol to march into Scotland with the disinherited knights in his train, resolved to fight for their estates. The battle of Dupplin and the defeat at Halidon Hill laid Scotland open to the English invasion. Knighton, an English chronicler, asserts that the Earl of Strathearn was killed at Halidon, but this was not so. He is not named in connection with these two conflicts, but seems to have taken an active part in opposing the invaders. This appears from his being de-

[1] Cf. her grant of Kintulach to Sir Robert Erskine (*Reg. de Cambuskenneth*, 255) about 1352 or between 1347 and 1361, when she was certainly wife of the Earl of Sutherland; and other instances might be given.
[2] *Liber Insule Missarum*, Pref. xli, xlii. [3] *Ibid.*, xlii. [4] *Cal. Doc. Scot.*, iii. No. 1029. [5] *Exch. Rolls*, i. 404.

scribed by Edward III. in 1333-34, as a notorious rebel,[1] but why he is so termed is not stated. According to Wyntoun all Strathearn submitted readily to Baliol, but perhaps the Earl did not.

The English King also in his letters to King Edward Baliol and Henry Beaumont, Earl of Buchan, refers to a matter which has always been and still is surrounded with mystery. He speaks of Malise as late Earl of Strathearn, and states that his earldom had been forfeited and bestowed by Edward Baliol, with consent of his Council, upon John de Warenne, Earl of Surrey. No reason for the forfeiture is assigned, and it might be inferred it was because of the Earl's loyalty it was confiscated. He made strenuous application to obtain it back again, but without success.[2] He probably then went and resided for a time on his northern estates, as in 1340 he put Reginald More in possession of the lands of Berridale, Caithness.[3] By this time Scotland was to a large extent recovered from the English, but the Earl did not get back his earldom. On the other hand he was, apparently during King David's absence in France, arraigned before the High Steward, as Lieutenant of the Kingdom, and a jury, on a charge of felony and treason, because he had, of his own free will, resigned his earldom of Strathearn in the hands of Edward Baliol by reason of a contract between him and 'Sir John, Earl de Warenne.' The jury acquitted him of treason, but the earldom remained in the hands of King David II., who bestowed it, on 9 February 1343-44, on Maurice Moray,[4] of whom a notice follows. This no doubt is the reason that, when on 28 May 1344, he transferred the care of his daughter Isabella to her uncle William, Earl of Ross, he described her as the heiress of the earldom of Caithness. This was the Earl's last recorded act, and a few days later he was summoned before the King and Parliament in reference to his transaction with de Warenne. The Parliament met on Monday, 7 June 1344, and on the third day of the session the Earl was again accused of resigning his earldom and making a contract with de Warenne, the King's enemy, in derogation of the King's majesty. The Earl did not attend in person, but the

[1] *Fœdera*, Rec. ed., ii. 878. [2] *Ibid.* [3] *Exch. Rolls*, i. 468. [4] *Reg. Mag. Sig.*, i. 572 *note* 5.

Bishop and Earl of Ross both appeared on his behalf, and he committed his defence to a certain William Meldrum. He pleaded that he had already been acquitted of treason, but the Barons, Knights, and freeholders found that though free from felony by the verdict of the assize, yet he had given up the earldom to Edward Baliol, in terms of the contract, and the judgment of the Parliament was that the earldom remained with the King to be possessed at his will.[1] After this Earl Malise passes from history, and the date of his death is not known, though he was dead before 1357, when his goods were intromitted with by the Earl of Ross.[2]

Earl Malise is said to have married twice, his first wife being alleged to be a daughter of the Earl of Menteith. But no evidence has been found on the subject, and his only recorded wife was Marjorie Ross, daughter of Hugh, fifth Earl of Ross, and sister of William, sixth Earl. The marriage may have taken place between 1325 and 1328, the probable date of a charter to Mar[jorie] or Maria of Strathearn, wife of Malise of Strathearn, of the lands of Kinkell, Brechin.[3] The issue of Earl Malise have been stated under the title of Caithness.

Arms.—Gilbert, third Earl, had a seal bearing a kite-shaped shield charged with what has been described as nine billets, but the impression is indistinct. The seal, which is a very early armorial one, is figured in the *Charters of Inchaffray Abbey* (Scottish History Society).

The later Celtic Earls all bore or, two chevronels gules.

[J. A.]

[1] This narrative of the proceedings is from a fragment of the original roll of Parliament recently deposited in the Register House. [2] *Exch. Rolls*, i. 570. [3] Robertson's *Index*, 19; cf. *Scots Peerage*, ii. 320.

MORAY, EARL OF STRATHEARN

AS has been stated in the preceding article, the earldom of Strathearn, on falling to the Crown, was bestowed by King David II. upon Maurice Moray, a man who had distinguished himself in the patriotic endeavour to win back Scotland from the English. There are reasons for believing that he was the son of Sir John Moray of Drumsargard, who was probably the son of Sir William Moray of Drumsargard, who appears among the Barons of Scotland in the Convention at Birgham on 17 March 1289-90.[1] His parentage and descent are not certainly known, and whatever may be conjectured, there is no evidence on which to found a valid decision. John, the second known of Drumsargard, married, as already stated,[2] Mary of Strathearn, the daughter of Malise, seventh Earl of Strathearn, and with her, between 1318 and 1322, obtained to him and his heirs issuing from Maria, the lands of Abercairny, Ogilvy, Glenservy, and others. Maurice Moray, however, is first named on record in 1335, and then as one of the leaders of the patriotic party in Scotland. The Chronicler of Lanercost states that Patrick, Earl of Dunbar, Sir Andrew Moray, Maurice Moray, and others met together on 15

[1] *Acta Parl. Scot.*, i. 441. [2] *Ante*, p. 252.

August 1335, rejected the terms of peace then offered, and resolved to maintain continued resistance to Edward III.[1] King Edward Baliol, on 2 December 1336, at Perth, granted to Anthony de Lucy, Knight, the barony of 'Dromsirgard' and all the lands of Maurice de Moravia on the south of the Forth, as Maurice was then an enemy and rebel.[2] The chronicler cited states, under the same year, 1335, that in time of the Parliament Maurice Moray, by a stratagem, slew Godfrey Ross, a Scottish Knight, Sheriff of Ayr and Lanark, because he had killed the brother of Maurice in fair fight.[3] Who this brother was is not known, but these facts suggest that Maurice was not the son of Mary Strathearn, and that he and his brother came from an earlier marriage of their father.

In 1339 Maurice himself acted as Sheriff of Clydesdale. Wyntoun speaks of him as 'Marrawe Maurys, that Clyddysdale has, thare in his ledyng hale.'[4] Bower says he was present at the siege of Perth, and styles him Lord of Clydesdale.[5] In 1341 he was present in the Parliament held at Scone, the first after the return of King David from France.[6] When Stirling Castle was surrendered to the Scots it was placed in Maurice Moray's hands, as keeper, who, according to Wyntoun, 'syne inforsyt it grettumly, for riche he was and full mychty.'[7] Wyntoun and Bower misstate the date of surrender, as they place that event in 1339 or 1340, but from the accounts of the English custodian the fortress was delivered up only in April 1342.[8] This is so far corroborated by evidence, that Moray appears as keeper first about Whitsunday 1342, when large quantities of stores were passed into the castle, including 60 'marts' for the food of the garrison. More than £150 of the then money was expended upon necessary equipment.[9] For his various services he received considerable grants of land. About 1342 he had a grant of the barony

[1] *Chron. de Lanercost*, 283. [2] *English Historical Review*, January 1909, p. 128. [3] *Ibid.*, 285. The chronicler seems to place Ross's murder in 1335. The Parliament met that year in April, but Godfrey Ross's death is not officially referred to till 1344 (*Cal. Doc. Scot.*, iii. No. 1432). The Scottish historians do not mention the incident. [4] Wyntoun's *Chronicle* (Laing ed.), ii. 451. [5] Fordun *à* Goodall, ii. 330. [6] *Acta Parl. Scot.*, i. 512, 513. [7] Wyntoun, *ut sup.*, ii. 456; Fordun *à* Goodall, ii. 331. [8] *Cal. Doc. Scot.*, iii. No. 1383. [9] *Exch. Rolls*, i. 483, 508.

of Strathavon, or Avondale, in Lanarkshire. He also had the lands of Hawick and of Sprouston, co. Roxburgh, and Airthrey in Stirlingshire.[1] He was evidently a favourite of King David II., who bestowed on him the earldom of Strathearn, by two charters, the first of date 9 February 1343-44, before the forfeiture of Earl Malise in Parliament, the second after the sentence of Parliament in June 1344.[2] It is also recorded that he, as EARL OF STRATHEARN, was one of the pledges for the kin of the late Sir Alexander Ramsay, that Sir William Douglas, Lord of Liddesdale, and his kin, should be scatheless from 12 June 1344 till the ninth day after the feast of St. Laurence the Martyr, 19 August in same year,[3] and marched with that monarch on his ill-advised expedition to England, where he was killed at the battle of Neville's Cross on 17 October 1346. He is known to have married Joanna, Countess of Strathearn, as she is so designed in the Papal dispensation for their marriage on 10 July 1339.[4] She could be no other than Joanna Menteith, who was the widow of Earl Malise, the seventh of Strathearn. The dispensation also refers to her former husband, John Campbell, Earl of Atholl, ignoring Earl Malise altogether, which seems to imply that he was not closely connected with Maurice, who would, if received pedigrees were correct, have been his grandson. Countess Joanna survived her third husband, and was married, before November 1347, to William, fifth Earl of Sutherland. (*See that title.*) Earl Maurice and Countess Joanna had issue, so far as known, one daughter,

Joanna, who in a charter by her, granted in 1361-62, calls herself Lady of Drumsergard. She grants certain lands in the barony of Cortachy to her uncle Walter Moray, a grant confirmed by her mother Joanna of Menteith, Countess of Strathearn, and Lady of the barony of Cortachy.[5] The younger Joanna married, first, Thomas Moray of Bothwell, by whom she had no issue. He died in London in 1361,[6] and she married, secondly (dispensation dated 23 July 1362),

[1] Robertson's *Index of Charters*, 33, No. 29; 54, No. 3; 40, No. 20.
[2] *Ibid.*, 56, Nos. 1, 11; *Reg. Mag. Sig.*, i. 572 *n.*
[3] Ms. Roll of Parliament formerly cited.
[4] *Cal. Papal Letters*, ii. 546.
[5] *Laing Charters*, No. 379.
[6] See *ante*, vol. ii. 130.

Sir Archibald Douglas, afterwards third Earl of Douglas, who annexed with her not only the baronies of Drumsergard and Avondale, which she inherited from her father, but also the widespread Bothwell estates, which she could have only as conjunct fiar with her first husband. (*See also title* Douglas.)

Creation.—About 1344.

Arms.—No record of the arms of Maurice Moray, Earl of Strathearn, has been found.

[J. A.]

STEWART, EARLS OF STRATHEARN

ROBERT, the High Stewart of Scotland, was the next who held this earldom, being created EARL OF STRATHEARN between 6 and 13 November 1357, or at least during the Parliament which met at Scone in that month.[1] On 22 February 1370-71 he succeeded his uncle David II. as King of Scotland, under the title of Robert II. (*See under* Kings of Scotland.)

II. DAVID Stewart, eldest son of the second marriage of King Robert II. with Euphemia Ross, was the next holder of the title. King Robert, on 26 March 1371, the day of his coronation, is designed Earl of Strathearn, and on the following day his son David does homage to him under the title of EARL OF STRATHEARN.[2] A notice of Earl David has already been given under the title of EARL OF CAITHNESS. On 28 December 1377 he is styled Earl Palatine of Strathearn and Caithness.[3] He died before 1389. His wife appears to have been a daughter of Sir Alexander

[1] Cf. *Acta Parl. Scot.*, i. 518, 519, where, on 6 November 1357, he is styled simply Stewart of Scotland, and *Fifteenth Rep. Hist MSS. Com.*, App. viii. 6, where in a charter, 13 November 1357, he appears also as Earl of Strathearn. [2] *Acta Parl. Scot.*, i. 545. [3] See *ante*, vol. ii. 321; Nisbet's *Heraldry*, ii. 30.

Lindsay of Glenesk, and sister of David, first Earl of Crawford. (*See title* Crawford.) They had issue a daughter,

III. Euphemia, who, calling herself Countess Palatine of Strathearn, resigned the earldom of Caithness in favour of her uncle Walter Stewart, Earl of Atholl, before 1402. She was married to Patrick Graham, son of Sir Patrick Graham of Dundaff. (*See title* Montrose.) He appears to have taken the designation of Earl of Strathearn, as appears from a charter cited by Lord Strathallan in his history of the Drummonds, and others in the Register of the Great Seal.[1] He was killed on St. Laurence Day, 10 August 1413, near Crieff, by Sir John Drummond of Concraig, Stewart of Strathearn, in an encounter between them arising out of the Earl's dissatisfaction with Sir John's official duties.[2] The Countess survived him, and had dispensations to marry Robert Stewart of Fife, eldest son of Murdach, Duke of Albany (on 4 May 1414), also Robert's brother Walter (5 September 1415),[3] but she married, secondly, Sir Patrick Dunbar of Bele, and was still alive in 1434,[4] but is not again named in record. They had issue:—

1. Malise, afterwards Earl of Menteith.
2. *Euphemia*, married, first, about 1425, to Archibald, fifth Earl of Douglas, who died in June 1439; secondly, to James Hamilton of Cadzow, afterwards first Lord Hamilton, and died in 1468 or 1469.
3. *Elizabeth* (or *Anna*), married to her first cousin once removed, Sir John Lyon.[5]

IV. Malise Graham, Earl of Strathearn, born about 1407, bore that title only during the early years of his life, as in 1427 King James I. deprived him of the earldom of Strathearn, creating him EARL OF MENTEITH. (*See that title.*)

V. Walter, Earl of Atholl, second son of the second marriage of Robert II. of Scotland, was created EARL

[1] *Genealogie of the House of Drummond*, 91; *Reg. Mag. Sig.*, fol. 225, 236, 237, 246. [2] Fordun à Goodall, ii. 447. [3] *Regesta Avenionensia*, vols. 344, f. 70; 335, f. 649. [4] *Exch. Rolls*, iv. pp. clix, 592. [5] Cf. p. 270.

OF STRATHEARN by his nephew King James I., and held the title till his death in 1437. (*See title* Atholl.)

CREATION.—Earl of Strathearn, November 1357.

ARMS.—Robert Stewart, Earl of Strathearn, bore on his seal: Or, a fess chequy azure and argent between two chevronels gules.

[J. A.]

LYON, EARL OF STRATHMORE AND KINGHORNE

LIKE some other noble families in Scotland, that of Lyon is assigned a Norman origin by our older genealogical writers, few of whose tracts, however, are of a remoter antiquity than the seventeenth century. But while it is probably now a hopeless task to settle who the true eponymus of the race was, it is to be observed in this connection that the most ancient possessions of the family, the Celtic thanages of Glamis, Tannadyce and Belhelvies, lie around the Mounth, that great mountain chain which, rising from the shores of Loch Linnhe, and traversing Scotland in an easterly direction until it declines to sea-level at the fishing-port of Stonehaven on the German ocean, long remained the stronghold of a Gaelic-speaking race. Two significant incidents in the history of the Glamis family, occurring in the early part of the eighteenth century, while the clan system was yet unbroken, and to be referred to in their own place, tend to strengthen the belief that the family is truly of Celtic origin. Many of the offices held by the chiefs of the house in the fifteenth and sixteenth centuries could only have been filled by those conversant with the Gaelic language.

Strathmore and Kinghorne

John Lyon, with whom the record of the family commences, leaps into fame and power in the reign of David II. His rank in life may be inferred from the fact that from his first appearance we find him fully equipped for his career as a courtier, statesman and diplomatist. He was in the service of the Crown prior to 9 July 1368, as appears from the inductive clause in the charter of Courtastoune granted to him in that year, but the earliest record reference to his official position at Court is on 13 January 1368-69, when he is designed 'clericus domini nostri regis,' on his appointment as one of the auditors to examine the accounts of the Chamberlain of Scotland.[1] He remained auditor until his own appointment as Chamberlain. In the same year (1369) he was dispatched on a mission to London,[2] and in the English state papers he is referred to as the 'Clerk of the Privy Seal of the King of Scotland.'[3]

On the accession of Robert II. in 1371 he was appointed Keeper of the Privy Seal.[4] On 10 October 1375, Queen Euphemia, the second wife of Robert II. assigned to him certain liferent duties payable to her out of the revenues of the Castle of Edinburgh, of which John Lyon was then Keeper.[5] There is a precept by the King dated at Dunfermlyn 25 June 1380, directing the auditors of the royal accounts to allow to John Lyon (whom he and his eldest son had appointed keeper for life) the whole expenses disbursed by the Chamberlain in fortifying and furnishing the Castle of Edinburgh with provisions, warlike instruments, and all other necessaries.[6] On 20 October 1377 he was appointed Chamberlain of Scotland, then the most important office in the disposal of the Crown.[7] This position he retained until his death. In the spring of 1382 he was again engaged in a mission to England.[8]

His acquisitions of property date from an early period in his career. On 10 July 1367 he acquired from Walter, Earl of Ross, and Euphame his wife, the lands of Fordell in the barony of Forgandenny,[9] and on 28 May 1368 from John de Hay, lord of Tullibothwell, Ballyndireth, now Bandirran,

[1] *Exch. Rolls*, ii. 339. [2] *Ibid.*, 358. [3] *Cal. Doc. Scot.*, iv. No. 173. [4] *Acta Parl. Scot.*, i. 547 (red). [5] Letter of Grant by Queen Euphemia in Glamis Charter-room. [6] Glamis Charter-chest. [7] *Exch. Rolls*, ii. 583. [8] *Rotuli Scotiæ*, ii. 41a. [9] Original Charter at Glamis.

in the Fenton's barony of Coulas;[1] on 13 April 1370 from the above John de Hay, Tolynachton, with the pertinents and native men thereof in the forest of Buyne and sheriffdom of Banff;[2] in 1370 from Walter de Lesly, Knight, Lord of Philorth, twenty oxgates of land in Monorgan, with three acres of meadow, three cruives, and a yair called Brakeless, a grant confirmed in 1371 by Andrew de Lesley, Lord of that Ilk;[3] in this charter John Lyon is designed 'of Forteviot.'[4] The lands of Longforgan he acquired in three separate portions; the first or Pyngle's part was acquired from Adam de Pyngle, burgess of Aberdeen, the discharge of the purchase price being dated 20 March 1374; the second or Bruce's part of Longforgan he got in excambion for certain other lands, from Agnes, wife of Sir Robert de Ramesay, Knight, on 28 April 1377: the third or Scarlet's part was resigned by Thomas Scarlet on 6 June 1377, and confirmed to John Lyon 14 July 1378;[5] these lands were erected into a barony by charter from Robert II. 2 October 1378.[6] On 8 April 1373 he acquired in tack from William de Meldrum Altermony and Dalrevach in Stirling.[7] On 18 February 1375 he had a grant from the convent of Arbroath of the lands belonging to the abbey within the territory of Glamis.[8] On 29 June 1378, he had a lease from the Abbot of Dunfermline of the lands of Fothros and Schenevale, near Portyncrak in Fife, for services rendered to the monastery;[9] this lease was transferred into a heritable right in his grandson's time, the grantee being taken bound not to remove any of

[1] Original Charter at Glamis. [2] *Ibid.* [3] *Ibid.* [4] This designation of Forteviot is interesting as, taken in conjunction with the Chamberlain's pious solicitude for the welfare of the burgesses of Perth, it affords a possible clue to the origin of the family. Forteviot was one of the ancient Celtic thanages, and at a very early period came into the possession of the Crown. Kenneth Macalpin, King of the Scots, died at his palace there in A.D. 858 (*Chron. of the Picts and Scots*, Skene's ed., Introd. p. cxxxiii), and throughout the various changes of dynasty it remained an appanage of the Crown (*Exch. Rolls*, i. 18, A.D. 1264). King Robert the Bruce made grants of various parts of the lands; see particularly Robertson's *Index of Missing Charters*, f. 19, No. 87, etc. For the various grades of landholders in a thanage, from knights downwards, see Skene's *Historians of Scotland*, iii. 417-418. [5] Original Charters at Glamis. [6] *Ibid.* [7] *Reg. Mag. Sig.*, 1306-1424, fol. 157, No. 18. [8] The charter by William de Landell, Bishop of St. Andrews, dissolving the Kirklands of Glamis from the vicarage thereof, the Bull by Pope Gregory XI. confirming that charter, and the subsequent conveyance by way of indenture between John, Abbot of Arbroath, and John Lyon, are in Glamis charter-room. [9] *Registrum de Dunfermlyn*, p. 273.

the nativi without the consent of the convent.[1] On 22 March 1379 he had a liferent from Alexander, Abbot of Scone and the monastery thereof, of the lands of Kambusmychell and the two Collanys which belonged to Mariota de Buthirgask, to be holden of the convent for five merks sterling yearly.[2] In 1379 he purchased from John M'Kelly the Island of Inchkeith, the Crown confirmation dated the following day containing a clause prohibiting any one from hunting or hawking on the island without leave from Sir John Lyon under a penalty of ten pounds sterling.[3] From William, Earl of Douglas and Mar, he had a grant of the lands of Balmukedy and Ballynchore, the precept of sasine being dated 21 February 1380.[4] On 20 March 1381 he acquired from Hugh de Roos, lord of the west part of Kynfawnys, the lands of Kindongwane and Clevekippowie or Kippowcleft in the shire of Fife.[5]

His first acquisition from the Crown was the lands of Courtastoune in the territory of Garioch and shire of Aberdeen, granted him on 9 July 1368 by David II.[6] On 18 March 1372 Robert II. granted him in free barony the lands of the thanage of Glamuyss in the sheriffdom of Forfar, for the service of one archer in the King's army, a grant which marks the alteration of the ancient Celtic holding into a feudal tenure.[7] A confirmation of the charter of Glamis was granted on 7 January 1373-74 by the King's three sons, John, Earl of Carrick, afterwards Robert III., Robert, Earl of Fife and Menteith, afterwards Duke of Albany and Governor of the kingdom, and Alexander, the

[1] *Registrum de Dumfermlyn*, p. 365. [2] Charter and precept following at Glamis. [3] *Ibid.* [4] *Ibid.* [5] *Reg. Mag. Sig.*, 1306-1424, fol. 156, No. 12. [6] *Antiq. of Aberd. and Banff*, i. 549. [7] *Reg. Mag. Sig.*, 1306-1424, f. 90, No. 315. In Gaelic 'glamas' means (1) open jaws in act to snatch, (2) a blacksmith's or carpenter's vice, thus an epithet applicable to territory at the juncture of two streams, if the streams converge somewhat like jaws at the point of confluence; other examples of this type of place-name are Inbhir Scéne, Rivermouth of the Knife, applied to a tapering knife-like estuary, the name for the estuary of the Kenmare river in old Irish tales, Inbhir Tuaige, Rivermouth of the Axe, Inbhir na h-Aidhle (Invernahyle), Rivermouth of the Adze, Inbhir Inneoin (Glen Lyon), Rivermouth of the Anvil. The Gaelic 'glomhus,' a narrow rocky fissure with water, commonly applied on the west coast to narrow sea-inlets is inapplicable here, although in one part of the parish the river forces its way through a narrow rocky chasm, because (1) no old spellings substitute an 'o' for an 'a' in Glamis; (2) the 'm' of 'glomhus' is aspirated, and that of 'Glamis' shows no trace of aspiration either in written or spoken forms, English or Gaelic.

'Wolf of Badenoch,' wherein they declare that, considering the deserts of John Lyon and his very faithful services, they confirm and ratify the grant for themselves and their heirs, and promise that never in any future time shall they impugn or revoke the same, even if any of them shall attain the Royal dignity.[1] On 30 January 1380 he received a new investiture to himself and the heirs-male of his body, whom failing, to Patrick his nephew, whom failing, to Michael, brother-german of Patrick, and the substitutes so named are the only references to the collateral branches of the House of Lyon in existence at that period.[2] From the date of the royal grant Glamis became the chief seat of the family. Malcolm II. died at Glamis on 25 November 1034, and the national records, so far as in existence, prove that it remained a part of the royal patrimony until 1372.[3] On 27 June 1376 King Robert II. granted 'dilecto consanguineo nostro Johanni de Ross et Johanni Lyovne' the lands of Bondynton of Lathame, the carucate of land called Redeplowland and others in the sheriffdom of Berwick.[4] On 4 October 1376 King Robert II. granted 'to his dearest son John Lyon and Johanna his wife, the King's beloved daughter,' the thanedom of Tannadyce in the sheriffdom of Forfar.[5] He further received from the Crown on 9 August 1378 the Loch of Forfar with the fishings thereof and eel chest;[6] on 27 September 1379 certain lands in Thuriston, Wodhall, and Wodoley, in the constabulary of Haddington;[7] on 24 December 1381 the whole burgh of Kinghorne with the manor place, lands, rents, and forests belonging to the King in the Constabulary of Kinghorne, reserving only the whole great customs of the burgh due from wool, skins and hides;[8] on 30 August 1382 an annualrent of four chalders of victual and £10 sterling, out of the lands of Doune in Banffshire, in the gift of the Crown,[9] and on the same date a charter of the lands of Glendowachy.[10] He had in addi-

[1] Original writ at Glamis. [2] Other contemporaries of the Chamberlain were Alexander Lyowne mentioned 14 May 1392 (*Reg. Mag. Sig.*, 1306-1424, f. 205, No. 27), and James de Lyon, Canon of Aberdeen, who died in 1395 (*Cal. of Papal Reg. Petitions*, 1342-1419, p. 584), but in what degree of consanguinity, if any, they stood to the Chamberlain has not been ascertained. [3] Dunbar's *Scottish Kings*, 4. [4] *Reg. Mag. Sig.*, 1306-1424, f. 131, No. 20. [5] Original charter at Glamis. [6] *Ibid.* [7] *Reg. Mag. Sig.*, 1306-1424, f. 152, No. 124. [8] Original charter at Glamis. [9] *Ibid.* [10] *Reg. Mag. Sig.*, 1306-1424, f. 164, No. 18.

tion to these lands several grants of escheats from the Crown.

By an indenture dated 17 September 1380, between Sir John on the one part, and the Abbot and convent of Scone on the other, he gifted to the monastery all his lands in the burgh of Perth, in the north street thereof, and on the north side of that street, with an annualrent of fifty shillings, payable out of the land of Thomas de Sallaris in said burgh, for which the Abbot and convent obliged themselves to perform a mass daily at the altar of the Blessed Virgin in the great church of the monastery, where the said Sir John desired to be buried, for the souls of himself and Dame Jean his wife, daughter of Robert, King of Scots, and for the souls of the whole burgesses of Perth.[1]

Sir John Lyon was knighted before 2 October 1377.[2] He was slain on 4 November 1382 by Sir James Lindsay of Crawford. The only contemporary narrative of the event is contained in the accounts of Robert, Earl of Fife and Menteith, who succeeded Sir John in the office of Chamberlain, and who states that his death took place on the 4 of November, 'suddenly and unexpectedly.'[3] The *Liber Pluscardensis* states that the deed was done at night when the victim was in bed and unsuspecting.[4] All the early references to the catastrophe indicate the belief of the writers that there was foul play, and Lindsay was compelled to flee from Court to elude the vengeance of the King. The event marked the beginning of a feud between the families which remained unhealed for centuries. Many of our old writers were tempted to step aside from the beaten track of their dry annals to celebrate in verse and prose the merits of one who in his day played so important a part in the life of the nation. And since customs and manners have changed greatly in five centuries while human nature has changed not, we may yet discern in the rugged lines of the old makkar the secrets of the Chamberlain's success :—

> 'Plesand but peir, and weill gevin in all thing;
> Lustie and large, plesand of hyde and hew,
> Mansweit and meik, rycht secreit als and trew;
> Full of vertu, withoutin ony vice,
> Baith digest [als] rycht circumspect and wyss;

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[1] Original Indenture at Glamis. [2] *Reg. Mag. Sig.*, 1306-1424, f. 166, No. 28. [3] *Exch. Rolls*, iii. 657. [4] Edition Edin., 1880, ii. 243.

Aboue all vther in his tyme, I reid
Of pulchritude and fairnes did exceid.
For that same caus as trow rycht weill I can,
Rycht tenderlie him louit mony man;

. . . .

The King him louit also ouir the laue,
And gaif him oucht that he plesit to haif,
For his vertu and for his fairnes als,
So trew he wes that he was neuir fund fals,
Expert he wes to dyte and wryte rycht fair,
Thairfoir the King maid him his secretair,
And of his signet gaif him all the cuir,
With othir office of him that he buir.'[1]

'He was, by the King's own direction, interred in the Abbey Church of Scone, where his Majesty intended his own body should be committed to its rest, and where, at his death, he was actually interred.'[2] From his complexion Sir John was styled the 'whyte Lyon.'[3]

Sir John's wife was the Princess Johanna Stewart, one of the daughters of King Robert II. by his first wife Elizabeth, daughter of Sir Adam Mure of Rowallan.[4] The Princess had three husbands. On 17 January 1373-74 she was married to Sir John Keith, eldest son of Sir William Keith, Marischal of Scotland, and she was left a widow before 27 December 1375.[5] Her marriage with Sir John Lyon took place between 27 June and 4 October 1376, on which latter date the King designs him 'his dearest son.' The union was at first a secret, and two years later, on 10 May 1378, the King publicly acknowledged Sir John as his son, and, with consent of his three sons above named, granted to the spouses letters of acknowledgment and remission for any clandestine marriage formerly contracted by them, in regard a marriage had been solemnly celebrated between them in face of the Church, in presence of the King and his sons and other friends and relatives.[6] The tocher of the Princess was the thanedom of Tannadyce. After Sir John's death she married Sir James Sandilands of Calder. On 20 November 1384 King Robert II. granted

[1] *Buik of the Croniclis of Scotland*, Record ed., iii. 400. [2] Crawfurd's *Lives of the Officers of the Crown in Scotland*, 301. [3] Mackenzie Genealogies, MS., Lyon Office Library, D. I. 15. The 'black Lyons' are chiefly to be found among the Wester Ogil cadets. [4] Dunbar's *Scottish Kings* 168. [5] *Exch. Rolls*, vol. iv. Introd. clxii. [6] Original at Glamis.

to Sir James, on his own resignation, the baronies of Dalzell, Motherwell, and Wiston, in the sheriffdom of Lanark, to be held by Sir James and Johanna, the King's daughter, 'whom God willing he is about to take to wife.'[1] In the last reference observed to the Princess in 1404 she is designed 'Lady Johanna, Lady of Glammys.'[2] She was interred with her husband in the monastery of Scone.[3] So far as appears, the only child of the union between Sir John and the Princess was his son and successor,

Sir John Lyon, Knight. In the charter-room at Glamis there is a precept by Robert II. addressed to the Abbot and convent of Dunfermline, charging them to enter John Lyon, son and heir of the deceased John Lyon, Knight, as heir of his father in the lands of Fothros and Schenevale. On 18 October 1388 the King issued a protection, taking John Lyon 'nepotem nostrum,' his lands, men, and whole possessions under his peace and protection, etc., and directing all his debtors to make payment to him of their debts without delay; thus avoiding the hardships which a grant of ward would have inflicted upon the youthful heir. His name occurs as a witness to an instrument dated the 27 and 28 August 1392, taken upon the occasion of Christian of Brogan, an infected leper, wife to John of Allan, and sister and nearest heir to Henry of Brogan, Laird of Auchloun, coming to Aberdeen, and there resigning, with consent of her husband, to Sir David Fleming, son and heir of Sir Michael Fleming of Biggar, her right to the lands of Auchloun.[4] He was knighted in or before 1404.[5] On the 4 of December 1423 his name occurs in a list of the hostages to be delivered in security of the ransom of King James I.[6] A few days afterwards Sir John received a safe-conduct to meet the King at Durham,[7] and there is little doubt he formed one of the company of Scots notables who conducted King James from Durham to his own dominions in April 1424, his son and successor Patrick taking his place as a hostage in England.[8] On 24 February 1433 Sir John, for the

[1] *Eleventh Rep. Hist. MSS. Com.*, pt. 6, 210, Hamilton Papers. [2] *Exch. Rolls*, iii. 591. [3] The Scots Nobilitie, MS., Lyon Office, D. I. 64. [4] Charter-chest of the earldom of Wigtown, No. 849. [5] *Antiquities of Aberd. and Banff*, ii. 227. [6] *Rotuli Scotiæ*, ii. 242b. [7] *Ibid.*, 244a. [8] *Cal. Doc. Scot.*, iv. No. 947.

better support of the mass founded at Scone by his father, granted an annualrent of forty shillings, payable out of his barony of Forgandenny.[1]

His death is said to have taken place in 1435.[2] Being of the blood-royal he was interred at Scone, 'in sacello regum,' and when 'the house of Scone was built, and his tomb, with others, raised, there was found there some papers and tokens, with a staff of his own length unconsumed.'[3]

He married his first cousin once removed, Elizabeth Graham, youngest daughter of Euphemia, Countess Palatine of Strathern, and her husband, Sir Patrick Graham of Dundaff and Kincardine.[4] The common ancestor was King Robert II., the bridegroom being a grandson of that monarch and the bride a great-granddaughter. By her he had issue:—

1. PATRICK, first Lord Glamis.
2. *David*, who, with his wife Marjory Strachan, received a charter from his elder brother Patrick of the lands of Redeplowland and others, in the sheriffdom of Berwick, dated in 1449. This charter was confirmed by John, Prior of Coldinghame, the grantee being designed David Lyon of Letham, 16 November 1471.[5] He had a son

   John, who was alive on 15 April 1496.[6]

3. *Michael.*[7]

I. PATRICK LYON, first Lord Glamis. On 24 March 1423-24 Sir John Lyon issued letters patent, dated from Glamis, declaring that Patrick, his son and heir, was to remain a hostage in England for the ransom of King James I.[8] On 9 November 1427 Patrick was exchanged for David, Lord of Lesly.[9] On 23 September 1440 he acquired in heritage the lands of Fothros and Schenevale, in the regality of Dunfermline, formerly set in tack by the Abbot to his grandfather, the Chamberlain.[10] In 1442 he was infeft in the

[1] *Liber Ecclesie de Scon*, pp. 174, 187. [2] The Scots Nobilitie. [3] *Ibid.*, Carse MS., Lyon Office Library, F. 2. 24. [4] Mackenzie Genealogies. [5] Original in Glamis Charter-room. [6] A witness in a procuratory of resignation of that date, Glamis Writs. [7] Genealogical notes at Glamis. [8] *Cal. Doc. Scot.*, iv. No. 952. [9] *Ibid.*, No. 1010. [10] *Reg. de Dunfermlyn*, p. 365.

ancestral estates in Forfar and Fife.[1] In 1451 he received from James II. a charter of the lands of Cardani-Berclay, Drumgley, and Drumgeith, in the sheriffdom of Forfar.[2] On 30 September 1444 he is designed 'Patrick Lion of Kinghorn, Knight.'[3] He was created a Lord of Parliament under the title of LORD GLAMMYS on 28 June 1445,[4] and on the same date[5] he is so designed in a report of the proceedings of a committee of Parliament.

Lord Glamis appears as Master of the Household to King James II. on 7 April 1450,[6] and he held the office for the usual period of two years, his attendance at Court, as appears by his signature as witness to the royal charters and other writs, being almost unbroken during that time.[7] In 1450 and the following year he was one of the Lords Auditors of the Treasury.[8] He had a safe-conduct into England as one of the Commissioners appointed for settling infractions of the truce between the Kingdoms 17 April 1451.[9] In 1455 he was again ambassador to England.[10] In 1456-59 he was Keeper of the royal castles of Kildrummy, Kindrocht,[11] and Balveny, and various payments for the repair and maintenance of these fortresses were made to him during that period.[12] In 1457 he was nominated one of the Lords of Session on behalf of the Barons of Scotland,[13] being the first of seven Judges of the Supreme Court which the House of Glamis has given to Scotland.[14]

Lord Glamis died at Belhelvies on 21 March 1459, and was buried at Glamis.[15] Judging from the period at which their children began to take an active part in public life, the marriage of Lord Glamis with Isobel Ogilvy, daughter of Sir Walter Ogilvy of Lintrathen,[16] must have taken place soon after his return from England in 1427. After her first husband's death Lady Glamis married Gilbert, first Lord

[1] Glamis Writs. [2] *Reg. Mag. Sig.*, 1424-1513, No. 451. [3] *Antiquities of Aberd. and Banff*, ii. 227. [4] Fordun's *Scotichronicon*, 1759 ed., ii. 542. [5] *Reg. Episc. Brechinensis*, i. 98-104. [6] *Reg. Mag. Sig.* [7] *Ibid.* for period cited. [8] *Exch. Rolls*, v. 420. [9] Rymer's *Fœdera*. [10] *Rotuli Scotiæ*, i. 374. [11] Better known by its modern title of Castleton of Braemar. [12] *Exch. Rolls*, vi. vii. [13] *Acta Parl. Scot.*, ii. 47. [14] The other six were Alexander, second Lord Glamis; John, third Lord Glamis; Sir Thomas Lyon of Auldbar; John, eighth Lord Glamis; Sir Patrick Lyon of Carse; Patrick, third Earl of Strathmore and Kinghorne. [15] The Scots Nobilitie, MS.; inscription on tomb at Glamis. [16] In the Scots Nobilitie she is designed third daughter of Sir Walter.

Kennedy, whom she also survived.[1] She had a full share of the pugnacity of the race from which she sprang. She fought her sons, her tenants, her neighbours, and her creditors, and had a tough struggle with the representatives of her second husband for the possession of the family plate.[2] On 20 June 1480 she entered into an indenture with the Prior and convent of the Preaching Dominicans, friars of Ayr, who, with consent of Brother John More, Vicar-General of that Order in Scotland, agreed, in return for a liberal endowment of lands in the town and sheriffdom of Ayr, to perform divine service for the benefit of the souls of James and Margaret, King and Queen of Scotland, of Isobel herself and her father and mother, and of Patrick, Lord Glamis, and Gilbert Kennedy, Lord of that Ilk, her husbands.[3] After Lord Kennedy's death, who was succeeded by his son by a previous marriage, her Ladyship was reconciled to her family, and returned to Forfarshire. 'She in her widdoweheid finished the old House of Glams, built the two ston bridges, and the ille in the Kirk of Glames, wherein, with her first husband, she was interred in anno 1484, as the inscription upon the tomb bears witnes.'[4] By her Lord Glamis had issue:—

1. Alexander, second Lord Glamis.
2. John, third Lord Glamis.
3. *William* of Pettanys. He obtained a charter of Easter Ogil, in the parish of Tannadyce, from his elder brother Alexander, and on 26 June 1498 his right to the possession of the estate was vindicated in a litigation with his nephew John, fourth Lord Glamis.[5] For ten generations the family of Easter Ogil was extremely fruitful in cadets. In 1718 William Lyon, then of Easter Ogil, disponed his estate to trustees for behoof of his creditors, and in 1740 the property was adjudged to John Lyon of Balgillo; subsequently it passed into the hands of strangers.
4. *Patrick*, styled brother-german of Alexander, Lord

[1] Cf. vol. ii. 454. [2] *Acta Dom. Audit.* Her litigations here recorded are very numerous. [3] Original indenture at Glamis. [4] The Scots Nobilitie. The arms of Lyon impaling Ogilvie appear on the keystones and springs of the southern transept of the church at Glamis. [5] *Acta Dom. Conc.*, vol. viii. fol. 25.

Glamis, in a procuratory of resignation by George Bell of the Holmes, dated 1 March 1481.[1]

5. *Elizabeth*, married, before 1 April 1460, to Alexander Robertson of Strowane.[2]

II. Alexander, second Lord Glamis. In 1460 he was infeft by Crown precept in the lands of Kinghorne and the thanages of Glamis and Tannadyce.[3] In 1478 he was in possession of the lands of Redeplowland, originally granted to the Chamberlain.[4] In 1461 he was appointed Keeper of the castles of Kildrummy and Kindrocht in succession to his father.[5] In 1463 his name is included in the list of Barons present in Parliament, and from that time onwards he was a leading figure in the administration of the Kingdom.[6] He was nominated one of the Lords Auditors of Parliament and at the same time one of the Lords of Council.[7] One of Alexander's colleagues in the exercise of his duties was his younger brother and successor, Mr. John Lyon of Courtastoune, afterwards third Lord Glamis. This is one of the two examples in Scottish history in which brothers contemporarily exercised supreme judicial functions in Scotland, the other example being in the Hope family in the time of Charles I.[8] In 1464 he was one of the Barons appointed to attend the King at Berwick, to meet the English ambassadors summoned to Newcastle to conclude a truce.[9] In 1478 the feud between him and the Master of Crawford reached such a pass that Parliament endeavoured in vain to find a remedy.[10] In 1468 John, Abbot of Scone, in consideration of a mortification by Lord Glamis, payable out of the lands of Forgandenny, and of the gift of a croft lying on the south side of the monastery, engaged to perform the exequies of the dead, viz. a Placebo and Dirige on the day of his decease annually in the choir, and a mass of requiem on the morrow for the weal of his soul and of the souls of his ancestors and successors.[11] The last reference observed to him is on 14 August 1484.[12] He died in 1486.[13]

[1] Glamis Writs. [2] *Reg. Mag. Sig.* [3] *Exch. Rolls*, ix. 667. [4] Glamis Writs. [5] *Exch. Rolls*, vii. 86. [6] See the numerous references to him in *Acta Parl. Scot.*, ii. [7] *Ibid.*, Suppl. xii. 29a. [8] Cf. vol. iv. 489-90. [9] *Acta Parl. Scot.*, Suppl. xii. 30a. [10] *Ibid.*, ii. 122b. [11] Original indenture at Glamis. [12] *Reg. Mag. Sig.* [13] The Scots Nobilitie.

He married, during the lifetime of his father, Agnes, the daughter of William, Lord Crichton, Chancellor of Scotland. The bond for the lady's tocher of 900 merks is dated 17 February 1449-50.[1] On the same date he and his spouse received a charter of the lands of Auchtermunny, in the sheriffdom of Stirling, and of Banchory and Petedy, in the constabulary of Kinghorne.[2] There were no children of the marriage, and on his death his widow married, after 20 October 1487,[3] Walter Ker of Cessford.[4]

III. JOHN, third Lord Glamis, was in no measure inferior in point of energy and ability to his great ancestor the Chamberlain. In 1464, as Mr. John Lyon of Courtastoune, he received payment from the Crown for certain expenditure on the castles of Kildrummy and Kindrocht, of which his father Patrick, first Lord Glamis, had been Keeper,[5] and he made material additions to the resources of the family. In 1479 he purchased from George Bell of the Holmys, Inchture, in the sheriffdom of Perth.[6] From Dorothea Tulloch, one of the ladies of Bonyngtoun, and Walter Wode, her husband, he had a charter, on 4 April 1479,[7] of one-half of the Loch Mills of Forfar. From David, Lord Lindsay of the Byres, he had a grant of the lands of Puresk, in Kinghorne, the precept for infefting him being dated 12 November 1488.[8] One-fourth part of the barony of Baky, in the sheriffdom of Forfar, was acquired on the resignation of Henry Douglas 14 August 1487;[9] a second fourth part was acquired from Jonet Fenton of Baky 4 July 1489.[10] On 5 September 1491 he acquired the fourth part of Little Buttirgask, Collace, and Strathfentoun, co. Perth, from the heirs of the above Jonet Fentoun.[11]

On 14 October 1472 he was made Coroner within the bounds of Forfar and Kincardine.[12] In 1483-84 he appears on the bench with the Lords Auditors and also with the Lords of Council in deciding civil cases, and continued to act in these capacities for ten years.[13] On 11 January 1487 King James III. nominated him one of the 'Great Justices'

[1] Original at Glamis. [2] *Reg. Mag. Sig.* [3] *Ibid.*, 5 September 1494. [4] Cf. vol. vii. 329. [5] *Exch. Rolls*, vii. 277. [6] *Reg. Mag. Sig.* [7] Glamis Writs. [8] *Ibid.* [9] *Ibid.* [10] *Reg. Mag. Sig.*, 1424-1513, No. 1871. [11] Glamis Writs. [12] *Reg. Mag. Sig.* [13] *Acta Dom. Audit.*, 71.

on the south side of the Forth.[1] One great opportunity of displaying his qualities as a statesman was vouchsafed to him. After the death of King James III. at Sauchieburn a Parliament met at Edinburgh on 16 October 1488, to secure a general pacification, when the events which led to the late conflict were fully debated. The assembly, after listening to an explanation by Lord Glamis, of the causes that led 'to the slauchteris committed and done in the field of Striulin quhar ouir souerane lordis fader happinit to be slane,' unanimously resolved that the wisest thing now to do was to 'agree that the King that now is is our true souerane.'[2]

The attitude maintained by Lord Glamis throughout so grave a crisis secured him the respect and confidence of both sides; he was peculiarly fortunate in obtaining the friendship of the young King, and during the early years of the new reign his attendance at court was continuous.[3] In the Parliament in which he made so happy a use of his forensic talents, he was, with the Lord Gray and the Master of Crawford, appointed a Lord Justice 'for Angus, Hieland and Lawland, and to sit with the justices of the regalities.'[4] On 15 February 1489 he was appointed one of the Crown Auditors,[5] and on the 26 of June following a member of the King's Privy Council.[6] In 1490, when he was appointed a Commissioner under the Privy Seal to let the Crown lands, the King designs him 'our Justice';[7] the ordinary title being simply 'Justiciar.'[8] In 1491 he was one of the Lords appointed to attend the young King at Berwick to conclude, if possible, a truce with England,[9] and in the same year he was Ambassador from Scotland to the Courts of France, Castile, Leon, Arragon and Sicily.[10] In 1495 his name occurs as one of the two Justiciars 'on the south side of the Forth.'[11]

On 20 October 1491 King James IV., at the instance of Lord Glamis, erected the town of Glammys, in the sheriffdom of Forfar, into a free burgh of barony for ever, with power

[1] *Acta Parl. Scot.*, ii. 182. [2] *Ibid.*, 210. [3] Between 28 June 1488 and 19 October 1495 his name occurs as a witness to charters and other Crown writs on about four hundred occasions. [4] *Acta Parl. Scot.*, ii. 208, 16 October 1488. [5] *Ibid.*, 220. [6] *Ibid.*, 215. [7] *Exch. Rolls*, x. 663. [8] *Reg. Mag. Sig.*, 1424-1513, p. 848. [9] Genealogical notes at Glamis. [10] *Cal. Doc. Scot.*, iv. No. 1574. [11] Pitcairn's *Criminal Trials*, i. 19*.

to elect bailies, and to hold a cross and market on Friday in each week, and a public fair every year on the feast day of St. Fergus (17 November), and for the four days following, with right to impose tolls.[1] On 12 October 1487 Lord Glamis granted a mortification of an annualrent of twelve merks and certain portions of the lands of Glamis to the altar of St. Thomas the Martyr in the parish church there, for the celebration of divine service for the souls of his elder brother Alexander and Agnes Creichtoun his wife.[2]

The last reference observed to John, third Lord Glamis, is in the Treasurer's accounts for 1496.[3] He died 1 April 1497, and was buried at Glamis.[4] He married Elizabeth, said to have been daughter of John Scrymgeour of Dudhope, Constable of Dundee.[5] She died prior to 20 October 1492, on which date her husband, with consent of John, his eldest son, mortified to the chapel of the Holy Trinity, in the Parish Church of Glamis, two acres and a toft of land in the barony of Glamis for the benefit of her soul.[6] Their children were :—

1. JOHN, fourth Lord Glamis.
2. *David* of Baky, lay rector of Forbes, tutor of George, fifth Lord Glamis. He purchased the lands of Cossins from Thomas Cossins of that Ilk, in three portions, in 1500, 1504 and 1511.[7] He fell at Flodden. His son John sold Cossins to John, Lord Glamis, in 1524,[8] and afterwards purchased Haltoun of Eassie. His descendants continued to be styled of Cossins, holding the lands under a wadset from their chief until the failure of the elder line in 1684. The representation of this branch then devolved upon George Lyon of Wester Ogil, wadsetter of Balmuckatie, who was the second son of John Lyon of Cossins, who was grandson of the above David of Baky. The present Laird of Wester Ogil, Mr. Andrew Thomson Lyon, is the tenth in descent from David of Baky.[9]
3. *William*,
4. *George*, both slain at Flodden.
5. *Violetta*, married, before 1464, to Hugh, first Lord Lovat.[10]

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Treas. Acc.*, i. 269. [4] The Scots Nobilitie. [5] Mackenzie Genealogies. [6] *Reg. Mag. Sig.*, 14 June 1493. [7] Original Charters at Glamis. [8] *Ibid.* [9] See *The Lyons of Cossins and Wester Ogil, Cadets of Glamis*: Edinburgh, 1901. [10] Cf. vol. v. 253.

6. *Janet*, married to Gilbert Hay of Templeton; a precept for her infeftment in Templeton and Crawgaston is dated 9 January 1487.[1]
7. *Christian*, married (contract 24 April 1492), as his first wife, to William, fourth Earl of Erroll; tocher £1000.
8. *Agnes*, married, first, to Arthur, fifth Lord Forbes, who died in 1493 *s.p.*; on 25 June 1494 she pursued his brother and successor, John, sixth Lord Forbes, for wrongously withholding her terce;[3] secondly, to John Ross of Craigy. She died before 30 April 1529.[4]
9. *Margaret*, married (contract 10 June 1495) to James Rynd, younger of Broxmouth; tocher 400 merks.[5]
10. *Mariota*, married to William, son of Sir James Ochterlony of that Ilk. There is a charter by Sir James to the spouses 2 November 1499.[6]
11. *Elizabeth*, married to William Forbes, son of the Laird of Echt. She died *s.p.* before 24 September 1509.[7]

IV. John, fourth Lord Glamis. On 25 June 1488, in his father's lifetime, he entered into an indenture with Margaret Fenton of Baky and John Lindsay her son, by which he acquired another fourth part of Baky, the Crown charter following being dated 2 August 1488.[8] On 4 July 1489 he acquired from David Nairne, grandson of Isabella Fenton of Baky, the remaining fourth part of Baky.[9] In 1496 he was infeft by Crown precept in the thanages of Glamis and Tannadyce, Cardenbercla, Drumgly, one-half of the barony of Baky, and other family possessions, and on 9 June 1497 in the lands held of the Abbey of Arbroath within the territory of Glamis.[10] In 1500 he was infeft in the office of Coroner of Forfar and Kincardine.[11]

He died in 1500[12] of a wound received in an encounter with the Ogilvys, for which an assythement was paid to David Lyon of Baky, as tutor to George, fifth Lord Glamis.[13]

He married, in 1487, Elizabeth, daughter of Andrew,

[1] Glamis Writs. [2] Marriage-contract at Glamis. [3] Glamis Writs. [4] *Reg. Mag. Sig.* [5] Marriage-contract at Glamis. [6] Original Charter at Glamis. [7] *Laing Charters*, No. 719; cf. Macfarlane's *Gen. Coll.*, ii. 244. [8] *Reg. Mag. Sig.* [9] Glamis Writs. [10] *Ibid.* [11] *Exch. Rolls*, xi. 331*. [12] Mackenzie's Genealogies. [13] In an action pursued by Margaret Fenton of Baky and John Lindsay her son against John Ogilvy of Fingask, Knight, and others, for payment of an assythement of £200 for the slaughter of

second Lord Gray.[1] She married, secondly, in 1511, Alexander, third Earl of Huntly, and thirdly, in 1525, George, fourth Earl of Rothes. Through her the house of Lyon claimed right to the estate of Foulis, and the dispute on this point between the two families was not settled until 1575. Her children by Lord Glamis were :—

1. George, fifth Lord Glamis.
2. John, sixth Lord Glamis.
3. *Mr. Alexander*, chantor or precentor of Moray. He held Courtastoune and Belhelvies in liferent. He was tutor to his nephew John, seventh Lord Glamis. He was a benefactor to the church of Aberdeen. He died in 1541, and was buried in the choir of Turriff, which he built.

V. George, fifth Lord Glamis. He was infeft in 1500 on Crown precept in the family estates in the sheriffdoms of Aberdeen, Angus, Fife, and Perth.[2] On 28 October 1501 he had a charter of Balnawis and part of Haltoun of Kynnell in Forfarshire from Thomas, Lord Fraser of Lovat.[3] He died in 1505[4] unmarried and a minor.

VI. John, sixth Lord Glamis, was born c. 1491,[5] and was retoured heir to his brother in the Aberdeenshire estates on 29 April 1505.[6] He, between that date and 1528, had sasine of or made up titles to the family estates in Perth, Forfar, and Fife.

In public life Lord Glamis supported the party of Queen Margaret against that of her former husband the Earl of Angus.[7] He was 'a werie bold, stoute and resolute man, and by the Commones called to ane byename Clange-Causey for his manie quarrells.'[8] Lord Glamis died at Leith 8 April 1528, and was buried at Glamis.[9] He married

James Lindsay, brother-german of John, it was answered by Sir John, that his father and the Lord Ogilvy and he 'had pait the said assithment amendis and kinbut to David Lyon as Tutor to George, Lord Glamis, son and heir to umquhile John Lord Glammis, quhilk John wes hurt at the said slaughter, and wes principale perty at the skaith takin'; *Acta Dom. Conc.*, xv. 43, 18 November 1503. [1] Cf. vol. iv. 277. [2] *Exch. Rolls*, xi. 465. [3] *Reg. Mag. Sig.* [4] *Reg. Sec. Sig.*, No. 1166. [5] The Carse MS. states that he was thirty-seven years of age at his death. [6] Glamis Writs. [7] *Letters and Papers, Foreign and Domestic*, temp. Henry VIII., vol. iii. pt. I. Nos. 482, 1091; *ibid.*, vol. iv. pt. I. Nos. 602, 702. [8] The Scots Nobilitie. [9] Gen. in Glamis Writs.

Jonet Douglas, third daughter of George, Master of Angus, who was slain at Flodden, and sister of Archibald, sixth Earl of Angus. After the death of Lord Glamis she married Alexander Campbell of Skipnish, second son of Archibald, second Earl of Argyll.[1] In his blind anger against the house of Douglas, Lady Glamis as the sister of the banished Earl was marked down for destruction by James v., but the conduct of his intended victim was so irreproachable that years elapsed before the King was able to put his purpose into execution. Her name was included in the general Douglas proscription of 18 January 1528-29,[2] for the counsel, assistance and help given by her to her brothers Archibald and George, but no immediate action followed, and on 20 September 1529 she with Patrick Charteris of Cuthilgurdy had a special licence 'now to depart and pas to the partis bezond sey in thaire pilgrimage and utheris liefull besynes there to be done, and to remaine in quhatsumevir realme or cuntre they pleas as thai sall think expedient except the realme of Ingland.'[3] On 1 July 1531 a certain Gawyne Hamilton received a gift of her escheat 'throw her being fugitive fra the law and at the horn or convicted of intercommonyng with our souerane lordis rebellis.'[4] On 1 January 1532 she was indicted on the ground of poisoning her late husband John, Lord Glamis, her uncle John Drummond of Innerpeffray becoming cautioner for her appearance.[5] A month later she appeared to answer the accusation, but the jury summoned, mostly Angus gentry, refused to countenance so shameless a charge, and were fined for non-appearance;[6] a second jury summoned from a wider circle three weeks later also refusing to appear were likewise fined.[7] At length on 17 July 1537 she was accused as being 'art and part of the tressonabill conspiratioune and ymaginatioune of the slauchter and destructione of our souerane lordis maist nobill person be poysone, and for art and part in the tressonable assistance supplé ressett intercommonyng and fortifying of Archibald, sumtyme Erll of Anguse and George Douglas hir brether, traytouris and rebellis.' She was found guilty and

[1] Cf. vol. i. 189, 336. [2] *Acta Parl. Scot.*, ii. 331. [3] *Reg. Sec. Sig.*, viii. 93. [4] *Ibid.*, ix. 17. [5] Pitcairn's *Criminal Trials*, i. 158*. [6] *Ibid.* [7] *Ibid.*

condemned to be burned on the Castlehill of Edinburgh, and the horrid sentence was carried out the same day.[1] 'She was burnt upon the Castle Hill with great commiseration of the people, in regard of her noble bloud, of her husband, being in the prime of her years, of a singular beauty, and suffering all, though a woman, with a man-like courage; all men conceiving that it was not this fact [the charge of poisoning the King] but the hatred the King carried to her brothers.'[2] The English ambassador wrote that Lady Glamis was put to death 'as I can perceyue without any substanciall ground or proyf of mattir.'[3] On the day after her trial her husband Archibald Campbell of Skipnish, in trying to escape from Edinburgh Castle, fell from the rocks and was killed.[4] The children of John, sixth Lord Glamis and Jonet Douglas were:—

1. John, seventh Lord Glamis.
2. *George*, who was imprisoned with his brother in Edinburgh Castle.[5] The brothers were released immediately after the death of James v., and on 18 January 1543 they found caution in the sum of 10,000 merks that they should keep their ward within the burgh of Edinburgh and two miles thereabout.[6] Five years, however, of close imprisonment in a fortress had proved too great a strain on his constitution, and he died shortly after his release.
3. *Margaret*, died at Glamis, unmarried, 15 June 1610.[7]
4. *Elizabeth*,[8] married, first, before 30 June 1535, to John, Master of Forbes,[9] who being delated by the Earl of Huntly for treason, was tried before the High Court of Justiciary and beheaded at Edinburgh on 17 July 1537;[10] secondly, to Thomas Craig of Balnely, with issue a son John; thirdly, about 8 May 1548, to John

[1] Pitcairn's *Criminal Trials*, i. 191*. The relative dates of execution of Lady Glamis and her son-in-law the Master of Forbes will be found noted in *Letters and Papers, Foreign and Domestic*, temp. Henry viii., xii. pt. ii., No. 346. [2] Hume of Godscroft's *Hist. of the House of Douglas*, Edin. 1648, 261. [3] *Letters and Papers, Foreign and Domestic*, xii. pt. ii. No. 346; here the calendarist has wholly failed to appreciate the importance of his original, but see the extract in Pitcairn, i. 198*. [4] Cf. vol. i. 336. [5] *Exch. Rolls*, xvii. 285. [6] Pitcairn, i. 328*. [7] The Scots Nobilitie. [8] Elizabeth named before Margaret, *Acta Dom. Conc.*, xl. 120. [9] *Reg. Mag. Sig.* [10] Pitcairn's *Criminal Trials*, i. 183.*

Tulloch, portioner of Montcoffer, and had issue a daughter Elizabeth; fourthly, to Mr. John Abernethy, who was her husband in 1565.[1]

VII. John, seventh Lord Glamis, was born c. 1521. On 9 November 1528 he was infeft in the barony of Longforgan.[2] He was about sixteen years of age when, in 1537, with his younger brother George, he was imprisoned in the Castle of Edinburgh.[3] There he was compelled to witness the agonies of his clansmen who were put to the torture of the rack in the vain attempt to extort from them words which should implicate his mother.[4] He was threatened with similar treatment,[5] and under this dire compulsion signed a confession that he was 'art and part of the tressonable conceling and nocht reuiling of the tressonabill conspiratioune and imaginatioun of the distructioune of ouir souerane lordis nobill personne be poysonne, ymaginat and conspirat be vmquhile Jonet, Lady Glammys his moder.'[6] On the 18 of July 1537 he was brought before the Lords of Justiciary and his confession produced against him. He was forthwith condemned to death, and his estates and honours forfeited to the Crown. The execution was deferred, but as a condemned traitor he was remitted a close prisoner to the Castle of Edinburgh.

Having thus, in defiance of the obligations and injunctions of his ancestors, brought to pass, as he supposed, the ruin of the House of Lyon, the King of Scotland took instant possession of the estates of the family, and from the date of the sentence upon the young baron until within a few weeks of his own death, he was busily employed in distributing the outlying portions of the estates among the hangers-on of the Court, and upwards of thirty Crown charters to as many different individuals attest the royal industry in that respect.[7] He was not above intromitting with the family plate, and antiquaries may lament the dis-

[1] Cf. vol. iv. 54. [2] Register Ho. Cal., No. 1032. [3] Pitcairn, i. 198*. [4] 'Their servants were tried and racked but confessed nothing'; Hume of Godscroft's *Hist. of the House of Douglas*, 261. 'Nothing could be extracted from their freinds or servaunts which might anie wise serve against them, yitt were they tortured'; Calderwood, i. 113. [5] *Acta Parl. Scot.*, ii. 422, where the phrase is 'presentit to the pynebaukis,' implying that he was placed on the rack but did not actually undergo the torture. [6] Pitcairn, i. 199*. [7] *Reg. Mag. Sig.*, 1513-46.

appearance of the great silver flagons of Glamis, twelve in number, each of seven pounds weight, which were melted down to supply the exigencies of the royal mint.[1] The castle and barony of Glamis, however, with some other portions of the estates, he retained in his own possession. This Naboth's vineyard indeed seems to have had a weird fascination for James V. A royal establishment was permanently maintained at Glamis Castle from 1538 onwards, and the Treasury accounts for the remainder of the reign teem with entries relating to its upkeep.[2] The King was frequently in residence, and many royal charters and other writs are dated from Glamis Castle.[3] He was there in the Feast of St. Andrew 1538,[4] in January and September 1539,[5] in the autumn and winter of 1540,[6] in the autumn of 1541,[7] and in the spring of 1542.[8] Then the Border troubles began and Glamis saw him no more.

On the prison doors being opened on the death of James V., the young baron immediately set himself to recover his estates. On the first day of the first Parliament of Queen Mary, held at Edinburgh on 12 March 1543-44, he presented a summons of reduction against the Crown, concluding for reinstatement in his honours, dignities, offices, and estates.[9] The summons had been duly served on the distinguished personages against whom it was directed, and the ceremonies attending its proclamation by the heralds at the Market Crosses of Edinburgh, Cupar, Perth, Dundee, Forfar, and Aberdeen, were made the occasion of popular demonstrations by the friends of the clan. A few days afterwards Parliament rescinded the forfeiture. On the same date the Crown in part amends of past injustice, in addition to restoring to Lord Glamis those portions of the estate still in its possession, granted him the non-entry duties of his whole lands.[10] Those he had little difficulty in recovering. There remained but the barony of Kinghorne. That had been gifted to the Treasurer, James Kirkcaldy of Grange, who, after the death of James V., retained his post. He had extracted from Lord Glamis, as

[1] *Exch. Rolls*, xvii. 161. [2] *Exch. Rolls and Treas. Accounts.* [3] *Reg. Mag. Sig.*, 1513-46. [4] *Exch. Rolls*, xvii. 256. [5] *Treasurer's Accounts*, vii. 201, 252. [6] *Ibid.*, 394, 412. [7] *Exch. Rolls*, xvii. 422. [8] *Ibid.*, 481. [9] *Acta Parl. Scot.*, ii. 409. [10] *Ibid.*, 424.

a preliminary to the restitution by the Crown, a promise that he should not be disturbed in its enjoyment,[1] and had conveyed the barony to his son William. This compulsion Lord Glamis resented, and contemplated, indeed had actually taken steps to reduce the Crown gift to Grange, when further proceedings were rendered unnecessary by the forfeiture of the Treasurer's son for his share in the slaughter of Cardinal Beaton.[2] The Queen-Dowager, Mary of Lorraine, securing the gift of William Kirkcaldy's forfeiture, made over her rights therein, so far as relating to the barony of Kinghorne, to Lord Glamis for the sum of 2000 merks.[3] So eventually the family were reinstated in their former possessions.

In 1549 Lord Glamis was served heir to Elizabeth Gray, Countess of Huntly, his grandmother, and in her right claimed that part of the barony of Longforgan called Huntly.[4] He purchased the teinds of Glamis from Cardinal Beaton, perpetual commendator of Arbroath.[5]

Lord Glamis sat as a member of the Privy Council 18 February 1544, and up to 3 May 1547 his name appears in the sederunts. In public life he first appears as a partisan of the Douglases on their return to Scotland after the death of James v.,[6] but discovering how completely that faction was in the hands of the English King, he soon after left them, and in June 1545 joined the Queen-Mother and Cardinal Beaton in their opposition to the overbearing tactics of Henry VIII.[7] He was present in Parliament on 26 June 1545, when it was agreed to accept the offer of the King of France to send a force into Scotland to aid the country against 'the commoun inymy of Ingland,'[8] and he served in the vanguard of the Scottish Army, which in three bodies invaded England in that year.[9] There is a charter by him dated at Glamis 4 October 1548, about which time he disappears from public life in Scotland, and spent his latter years abroad, where, having contracted a sickness, he came home 'to get his native air.' He died

[1] *Acta Parl. Scot.*, ii. 424. [2] *Ibid.*, 468, 474. [3] Original letter in Glamis Charter-room; *Reg. Mag. Sig.*, 12 September 1548. [4] Original Retour at Glamis. [5] Glamis Writs. [6] *Letters and Papers, Foreign and Domestic*, temp. Henry VIII., xviii. pt. I. No. 129. [7] *Ibid.*, xx. pt. I. No. 1049. [8] *Acta Parl. Scot.*, ii. 595. [9] *Diurnal of Occurrents*, 40.

before 18 September 1559, on which date John, Earl of Atholl, had a gift of the ward.

He married, 'with greit trivmphe' on 6 February 1543-44, Jean Keith, daughter of Robert, Master of Marischal, and sister of William, fourth Earl Marischal.[1] She was infeft in Courtastoune and Drumgowan upon a precept under the Quarter Seal 6 February 1543-44. On 24 November 1559 she was kenned to her terce before the Sheriff of Forfar, in the baronies of Glamis, Baky, and Tannadyce, and cavels being cast for the sun and shadow, the lady fell to her cavel at the sun.[2] Concerning her little is known, only the careers of her sons remain an enduring memorial to her lofty conceptions of duty. By her Lord Glamis had issue:—

1. John, eighth Lord Glamis.
2. *Sir Thomas.* Except for the period 1575-78 which intervened between the birth of his nephew Patrick, ninth Lord Glamis, and the death of Patrick's father John, eighth Lord Glamis, he was heir-presumptive to the title, and was known as the Master of Glamis. On the death of his brother John, eighth Lord, in 1578, he again became heir-presumptive while filling the post of tutor to his nephew, and from this latter period until 1596 he was indifferently styled Master or Tutor of Glamis. He was presented by his elder brother John to the Chaplainry of Baky 10 March 1567, and he is designed chaplain of the Chapel of St. John at Baky in 1576.[3] His other designations were 'of Scrogerfield,' purchased in 1571;[4] 'of Baldukie,' a property acquired from his brother in 1576;[5] 'of Balumbie,' purchased in 1579;[6] 'of Melgund' and 'of Auldbar,' finally acquired in 1580,[7] although he was in possession of these two properties sometime previously. To write even briefly the career of this statesman, which covered the stormy period of the minority of James VI., would be to attempt a history of Scotland. The briefest outline of a few incidents, his share in

[1] *Diurnal of Occurrents*, 26. According to the Protocol Book of E. Dickson (Adv. Lib.) they were espoused (*affidati per verba de presenti*) 14 March 1542-43. [2] Original Decree in Glamis Charter-room. [3] Presentation and Gift at Glamis. [4] *Reg. Mag. Sig.*, 28 September 1571. [5] *Ibid.*, 23 December 1580. [6] *Ibid.*, 20 June 1579. [7] *Ibid.*, 6 May 1580.

which was more than usually conspicuous, must suffice. He was employed in March 1578 in the negotiations which led to Morton's resignation of the regency.[1] With the Earls of Mar and Gowrie he entered into the bond for the overthrow of Lennox and Arran, and was one of the principal actors in the 'Raid of Ruthven.' After that event the confederate nobles, as the holders of the King's person were termed, were installed in power, and on 12 October 1582 the Master of Glamis appears as a Privy Councillor. He was the one individual connected with the Raid of Ruthven for whom the King entertained a personal regard, having been a companion of his boyhood's days in Stirling Castle.[2] The King unexpectedly gave his guardians the slip at St. Andrews on 25 June 1583. Arran returned to power and did his utmost to inflame the King's mind, but James showed little animosity against his captors and was more inclined to pardon than to prosecute them. Attempts were made to heal the feud between the Lyons and the Crawfords but without success, and ultimately, disregarding an order to ward himself in Dumbarton Castle, the Master passed into England. Forfeiture naturally followed.[3] Stirling Castle was seized by the Master and his friends on 17 April 1584.[4] But they were unable to make headway against Arran, and were compelled once more to seek shelter in England. They recrossed the Borders on 24 October 1585, Arran fled, and after a ten days' campaign the Master and his friends were in power, the King accepting his new Councillors with little demur. On 7 November 1585 the Master became once more a member of the Privy Council, and on the same day Captain of the King's Bodyguard.[5] On 2 December he was appointed Treasurer of Scotland,[6] a pension of £1000 per annum being attached to the post.[7] On 20 January 1586-87

[1] *Cal. of Scottish Papers*, v. 277. [2] Sir John Scott's *Staggering State of Scots Statesmen*, ed. 1872, 55. [3] *Acta Parl. Scot.*, iii. 296, 306, 308. [4] Calderwood, iv. 25. [5] *P. C. Reg.*, iv. 33. [6] *Treasurer's Accounts*, vol. i. Index, xxvii. [7] *Reg. Sec. Sig.*, l. 130.

he was nominated one of the commissioners for considering grants out of the Crown lands,[1] and on 9 February following one of the Extraordinary Lords of Session.[2] On 28 November 1588 he was supplanted in the post of Captain of the Guard by the Earl of Huntly,[3] and in the following year taking the field against that noble he was surprised and taken prisoner at the House of Kirkhill by Gordon of Auchindoun, but was released on the advance of the King in person.[4] He was knighted at the coronation of Queen Anne 17 May 1590.[5] He inherited in undiminished lustre the fighting qualities of his ancestress the lady of the first Lord Glamis. Sir Walter Scott's picture of him as 'a rude, stern man' seems hardly justified,[6] but he was never happy when at peace, and with Chancellor Thirlestane he maintained a running fight for many years, which culminated in November 1591 in his imprisonment in Blackness,[7] and at the same time he was deprived of his post of Extraordinary Lord of Session,[8] but was reappointed 8 March 1592-93, and on 28 May following admitted an Ordinary Lord of Session.[9] On 9 January 1595-96 he was relieved of the Treasurership, though his resignation did not take effect till May following. On 30 January 1597-98 he was excused from further attendance as a Lord of Session 'in respect of his great deseis notour to the Lordis,'[10] but his name appears in the sederunts of Privy Council up to 18 May of that year, when he disappears from public life.[11] His attitude towards the elder branch of his House was not a friendly one, and he cast a covetous eye upon the family estates, but his conduct in these particulars will be more conveniently referred to in the account of his nephew Patrick, ninth Lord Glamis. He died 18 February 1608.[12] When the King heard of the event he is said to have observed that the boldest and hardiest man in his dominions was dead.[13]

[1] *P. C. Reg.*, iv. 138. [2] Brunton and Haig, 203. [3] *Records of Aboyne*, 507. [4] Moysie's *Memoirs*, p. 152, ed. 1755. [5] Crawfurd's *Officers of State*, 392. [6] *Tales of a Grandfather*, chap. xxxii. [7] Brunton and Haig, 205. [8] *Ibid.* [9] *Ibid.* [10] *Ibid.* [11] *P. C. Reg.*, v. 455. [12] Brunton and Haig, 205. [13] Crawfurd's *Officers of State*, 391.

He married, first, after 1575, Agnes, third sister of Patrick, fifth Lord Gray. She was widow of Robert Logan of Restalrig, and of Alexander, fifth Lord Home.[1] The Master of Glamis and his wife had a dispute with the Home family regarding the keeping of the Castle of Home, which was seized on 7 November 1578, by Andrew Home, Commendator of Jedburgh, Tutor of Home. The Master declared that the castle had been delivered to him and his spouse to be kept in the King's name and delivered again on demand under the penalty of 20,000 merks, and he declared his willingness on being relieved of that obligation to allow the Commendator to remain in possession; the proposal was agreed to on 19 December 1579.[2] The spouses had a Crown charter of Auldbar 6 May 1580.[3] They had issue:—

(1) *Anna*, who was alive on 16 November 1636, on which date William Dick of Braid, merchant burgess of Edinburgh, granted a discharge in her favour.[4]

(2) *Mary*, was married, first, in 1617,[5] to Sir Robert Scott of Cruikstoun;[6] secondly, to Robert Sempill of Beltrees.[7]

He married, secondly, in 1586, Eupham, daughter of William, fifth Earl of Morton,[8] with issue:—

(3) *John*, served heir to his father in Auldbar 6 August 1608.[9] He married (contract 16 February 1611) Eupham Gledstanes, daughter of George, Archbishop of St. Andrews, tocher £11,000, the bridegroom becoming bound to ratify his marriage on attaining perfect age,[10] an event which took place in 1613. There was no issue of the marriage.[11] In the course of a few years he dissipated the fortune so painfully acquired by his father, and by 1619 such of his lands as were not sold were held by the Earl of Kinghorne in trust. He was alive in 1649, when he is designed 'John Lyon sumtyme of Auldbarr, now citiner in Brechin,' and this is the last reference observed to him.[12]

(4) *Thomas*. He attained majority in September 1615.[13] He contracted many debts. In 1618 he was denounced for an attack upon his brother-in-law Mr. James Stewart of Tullos.[14] In 1619 he is noted as one of a small band of 'young and insolent lymmaris' who infested Brechin, and

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1 Cf. vol. iv. 462. 2 *P. C. Reg.*, iii. 50, 250. 3 *Reg. Mag. Sig.* 4 Glamis Writs. 5 *Reg. of Deeds*, cccxxxvi. 25. 6 *The Scotts of Buccleuch*, ii. 270; *ante*, vol. vi. 430; she divorced him for adultery 16 July 1622, *Edin. Com. Decs.* 7 Crawfurd's *Renfrewshire*, 79. 8 Cf. vol. vi. 374. 9 *Forfar Retours.* 10 *Reg. of Deeds*, clxxx. (Scott). 11 The Scots Nobilitie. 12 Comm. Reg. of Brechin. 13 Glamis Writs. 14 *P. C. Reg.*, xi. 461.

were denounced as rebels,[1] and in the following year he disappears from record.

(5) *Margaret*, married, before 11 August 1609, to Mr. James Stewart, afterwards Sir James of Eday and Tullos, Gentleman of the Bedchamber to James VI., fourth son of Robert Stewart, Earl of Orkney.[2] On 29 November 1625 he and his wife received a pension of £900 per annum from the Crown, this slender provision coming in lieu of a liberal income provided to him by his brother the Earl of Orkney who had been forfeited.[3]

The Treasurer had also a natural son named *James*.

3. *Margaret*, married (contract 30 September 1566), first, to Gilbert, fourth Earl of Cassillis, tocher 10,000 merks;[4] secondly (contract 30 December 1577), to John, first Marquess of Hamilton.[5] She died at Evandaill in 1626.[6]

VIII. JOHN, eighth Lord Glamis, was born c. 1544. He was infeft in the family estates 17 April 1550, reserving the liferent of his father and mother in the Aberdeenshire baronies and the right of his father in the remaining lands.[7] Subsequently he resigned the estates in Forfar, Perth, and Aberdeen, in favour of himself and the following substitutes (1) Thomas Lyon of Auldbar his brother; (2) John Lyon of Haltoun of Eassie; (3) John Lyon of Easter Ogill; (4) John Lyon of Culmalegy; the instrument of resignation, the Crown charter, and the precept following thereon being all dated 28 April 1567.[8]

He was present, being still a youth, as one of the Lords of Convention at a meeting of the Privy Council held at Edinburgh on 22 December 1560, when the tenants of Kirklands were temporarily secured in the possession thereof.[9] He chose curators 17 March 1561-62.[10] He does not again appear until May 1565, on the eve of Mary's marriage with Darnley.[11] He held a command in the Queen's forces assembled in October of that year to defeat the projects of Murray and his associates, when the royal army chased their opponents from pillar to post in such a fashion that the campaign came to be known

[1] *P. C. Reg.*, xi. 494; xii. 216. [2] *Ibid.*, viii. 352. [3] *Ibid.*, 2nd ser., i. 204. [4] *Reg. of Deeds*, viii. 423. [5] Cf. vol. iv. 372. [6] The Scots Nobilitie. [7] Glamis Writs. [8] Original writs in Glamis Charter-room; *Reg. Mag. Sig.*, 1546-80, No. 1792. [9] *Acta Parl. Scot.*, ii. 606; *P. C. Reg.*, i. 192. [10] *Acts and Decreets*, xxiii. 306. [11] *Ibid.*, 597.

as the 'Run-about-Raid.' After the death of Darnley, Lord Glamis still adhered to the cause of Queen Mary, and he was present at the marriage of the Queen with Bothwell,[1] but he soon joined her opponents.[2] He was appointed a member of the Privy Council by the Regent Murray, and from 22 December 1567 onwards his name occurs as a regular attender at the sederunts of Council until within a month of his death. On 23 February 1568 he entered into a bond with James Scrymgeour, Constable of Dundee, Thomas Maule of Panmure and other Forfar barons, who obliged themselves to set forth and maintain the King's authority to the uttermost of their power, and to protect and defend themselves mutually when attacked,[3] and after the battle of Langside his influence was sufficiently powerful to protect his brother-in-law, the Earl of Cassillis, from forfeiture.[4] He was one of the pall-bearers at the Regent Murray's funeral in St. Giles's Church, Edinburgh, 22 February 1569-70.[5] He was nominated by the Regent Lennox an Extraordinary Lord of Session 30 September 1570,[6] resigning that post on 8 October 1573, when he received a commission from James VI. with consent of the Earl of Morton as Regent, appointing him Chancellor of the Kingdom and Keeper of the Great Seal during his life.[7] In 1571 he was one of a quartette of nobles entrusted with the custody of the King's person,[8] and in the same year one of the Commissioners appointed to meet those from England at Berwick to deliberate on the subjects in dispute between the realms, and to establish a peace.[9] He corresponded with Beza the famous theologian on questions of church government, supporting the maintenance of Bishops. Lord Glamis was on terms of close intimacy with the Regent Morton, who had been one of his curators and was his first cousin once removed, the Regent's father being that George Douglas for intercommuning with whom Lady Glamis had been indicted, and as an aefauld man he was selected to conduct the negotiations with Morton which led to the latter's surrender of the Regency. He was not present at Stirling on 8 March

[1] *Diurnal of Occurrents*, 111. [2] *Cal. of Scottish Papers*, ii. 327. [3] Original bond at Glamis. [4] *Correspondence of Sir Patrick Waus*, 61. [5] *Cal. of Scottish Papers*, iii. 84. [6] Brunton and Haig. [7] Com. in Glamis Charter-room. [8] *Acta Parl. Scot.*, iii. 64; *Cal. of Scottish Papers*, iii. 223, 477. [9] *Ibid.*, iv. 597.

1577-78 when the King took upon him the government of the kingdom, and the statement that he sided against his old friend is disproved by his attendance up to the last at the meetings of Council over which Morton presided.[1] While still engaged in the negotiations the Chancellor was killed at Stirling on 17 March 1577-78. Contemporary narratives with one exception agree as to the accidental nature of the catastrophe.[2] While Lord Glamis was coming down from the Castle of Stirling to his lodging in the town, the Earl of Crawford was going up, and the parties met in a narrow wynd. Each noble bade his company give way, but in passing two retainers jostled, swords were drawn, and almost immediately Lord Glamis, conspicuous by his stature, was shot by a pistolet in the head. The event naturally aggravated the feud between the families. The panegyrics on the Chancellor recall the tribute paid by the old makkar to his ancestor the Chamberlain. 'The death of the Chancellor,' wrote Spottiswoode, 'was much lamented falling out in the time when the King and country stood in most need of his service. He had carried himself with much commendation in his place and acquired a great authority, most careful was he to have peace conserved both in the country and the church.'[3] 'A learned, godly, and wise man,' wrote Calderwood;[4] 'a good justiciar,' observed Scotstarvet;[5] 'a guid learned nobleman,' was James Melville's observation.[6] The English ambassador described him at one time as 'of greatest revenue of any baron in Scotland,' and at another 'very wise and discreet, wealthy, but of no party or favour.'[7] The General Assembly which met at Edinburgh in April 1578 passed a resolution of regret at the event, and ordered a general fast 'to be zealouslie keepit throwout the land,' and the Moderator, the famous Andrew Melville, who was one of the Chancellor's greatest friends and admirers, found vent for his grief in the bitter epigram:—

[1] *P. C. Reg.*, ii. 676; the terms of the Chancellor's will prove that his confidence in the Regent remained unabated to the last. [2] The solitary exception is Scotstarvit, who says 'he was shot at Stirling with a bullet by the Earl of Crawford and his followers for a controversy that fell out betwixt them anent their marches, 39. [3] Spottiswoode, *Hist. of the Church of Scot.*, 283. [4] Calderwood, *Hist. of the Church of Scot.*, iii. 397. [5] Scotstarvet, *Staggering State*, p. 39. [6] *Autobiography* of James Melville, 55. [7] *Cal. of Scottish Papers*, v. 253.

'Tu, Leo magne, jacis inglorius; ergo manebunt
Qualia fata canes? Qualia fata sues?'

Scotticised by his nephew—

'Sen lawlie lyes thow, noble Lyon fyne,
What sall betyde behind, to dogges and swine!'[1]

He married, 11 April 1561, Elizabeth, daughter of William, fifth Lord Abernethy of Saltoun,[2] widow of William Meldrum of Fyvie. By his testament, dated at Glamis 2 October 1571, his wife was appointed tutrix to his three daughters, with the Regent Morton as oversman.[3] By her he had issue:—

1. Patrick, ninth Lord Glamis.
2. *Elizabeth*, married (contract 18 May 1575[4]) to Patrick, afterwards sixth Lord Gray, whom she divorced for adultery 21 May 1585.[5] Elizabeth married, secondly (contract 14 February 1586-87), William Ker, otherwise Kirkcaldy of Grange, second son of Sir Thomas Ker of Fernihirst. They had four children.
3. *Jean*, married, first (contract 19 March 1582-83), to Robert Douglas, younger of Lochleven, who was believed to have been drowned;[6] secondly (contract 29 July 1587), to Archibald, eighth Earl of Angus; thirdly, before 14 June 1589,[7] to Alexander, first Lord Spynie.
4. *Sibilla*, who was alive 17 December 1579.[8]

IX. Patrick, ninth Lord Glamis, was born in 1575. His first act on attaining majority was to settle accounts with his uncle and curator, Sir Thomas Lyon of Auldbar. On 13 November 1596, Patrick having attained majority, the parties entered into a contract 'for the establisching and continewing of pace and concord amangis thame.' From this document, which is of portentous length, it appears that the Treasurer, from the time of his elder brother's death, and throughout the pupillarity and minority of his ward, had strenuously set himself to secure every right in connection with the family possessions which could possibly be purchased. What object there was in view in these

[1] Melville's *Autobiography*, 60. [2] Cf. vol. vii. 411. [3] Commissariot of Edinburgh, 25 June 1578. [4] Original contract at Glamis. [5] Cf. vol. iv. 285. [6] Cf. vol. vi. 375. [7] Cf. *ante*, p. 97. [8] *P.C. Reg.*, iii. 249.

acquisitions may be conjectured, but in the end the young heir proved a match for his plotting uncle, and in consideration of being discharged of his tutorial and curatorial intromissions, and of receiving a heritable title to the barony of Tannadyce, under burden of the wadsets on it, the Treasurer agreed to renounce the whole of his rights to his nephew, whose chamberlains were to draw the rents of the estates for crop and year 1595 onwards.[1] The Treasurer rued his bargain and litigation ensued until, in 1605, and again in 1606, Lord Glamis obtained decreets compelling Sir Thomas to implement the contract.[2]

For some years unsuccessful attempts were made to heal the feud between the Lyons and the Lindsays, and at last in 1602, when Sir John Murray became cautioner for Lord Glamis in 10,000 merks that the latter would either (1) pursue the Earl of Crawford for the slaughter of his father in the streets of Stirling; or (2) submit the feud to arbitration; or (3) go abroad, the stubborn young noble chose the latter alternative, and went.[3] His stay abroad must have been short, however, as he was present in the Parliament held at Perth on 11 July 1604, when he was named one of the Commissioners to treat of the proposed union with England.[4] This was a project the King had much at heart, and he addressed a letter on the subject to Lord Glamis.[5] On 13 July 1606 he was again present at Perth, when the Treaty of Union was discussed.[6] From this time forward he took an active part in the affairs of the State, and was present in all the Parliaments held in the reign of James VI., and attended assiduously to the business of the Privy Council, of which he was a member. He supported the King in his Church policy, and was one of the assessors at the trial and conviction of the ministers concerned in the Aberdeen Assembly, 2 July 1605.[7] Two years afterwards he was one of three Commissioners appointed to represent the King in the Synod of Angus and Mearns.[8] In 1610 he was admitted a member of the remodelled Privy Council.[9]

[1] *Reg. of Deeds*, Office Hay, 12 November 1596, licet. [2] Decrees in Glamis Charter-room. [3] *P.C. Reg.*, vi. 311, 367. [4] *Acta Parl. Scot.*, iv. 264. [5] Original at Glamis. [6] *Acta Parl. Scot.*, iv. 280. [7] *P. C. Reg.*, vii. 478. [8] *Ibid.*, 343. [9] *Ibid.*, Introd. p. xii.

On 10 July 1606 he was created EARL OF KINGHORNE, LORD LYON AND GLAMIS. The patent is not on record, but it is referred to in the subsequent patent of 1672. He made several additions to the family estates. On 15 May 1604 he acquired from John Spalding, portioner of Kinnalty, in the barony of Reidie, one-fourth part of Kinnalty;[1] on 26 August 1607, from George Lammie of Dunkenny, another fourth part;[2] from Thomas Ogilvie of Wester Craigs, St. Margaret's Inch, and the Garth, with the fishing in the Loch of Forfar, on 16 May 1605;[3] from George Fullerton of Denoon and Matilda Nevy, his wife, Wester Denoon, in the barony of Dundee, with remainder to James, his second, and Frederick, his third, sons, 10 May 1608;[4] from John and Thomas Lyon, the sons of the Treasurer, with consent of their mother and curators, he reacquired the barony of Tannadyce, the contract of sale being dated in July 1609, ratified by John Lyon on attaining majority, 12 June 1613, with consent of his interdictor George, Archbishop of St. Andrews, and by Thomas on his attaining majority, 9 September 1615;[5] the twapart Mains of Huntly, and the third part of Longforgan, with Littletoune and Lawriestoune, acquired by his father from Patrick, Lord Gray, in 1575, under reversion, he purchased outright for 40,000 merks on 30 June 1613.[6]

The Earl died at Edinburgh 19 December 1615, and was buried at Glamis.[7] His testament-dative[8] is of interest as giving an idea of the establishment of a Scots nobleman at that period. The chief servants were a principal servitor and maister stabular, who was a foreigner named Nicola Vieane; two servitors, John Lyon and Mr. William Murray; a musicianer; a steward; John Murray, senior, master cook and browstar; John Murray, younger, foreman in the bakehouse and brewhouse; a foreman in the kitchen; a master porter and his servant; lackeys in the stable (unnumbered); a grieve; and an officer. Her Ladyship's establishment included two gentlewomen; a browdinstar (embroiderer); a lotrix (bedmaker); and two other female

[1] Glamis Writs. [2] *Ibid.* [3] *Ibid.* [4] *Reg. Mag. Sig.*, 20 May 1608. [5] Glamis Writs. [6] *Ibid.* [7] The Scots Nobilitie. [8] St. Andrews Tests., 30 April 1616. The Funeral Entry in the Lyon Office, which gives 1 and 26 September 1616 as the dates of death and burial, appears to be inaccurate.

servants, whose duties are unspecified. He married, at Linlithgow, in June 1595,[1] Anne Murray, daughter of John, Earl of Tullibardine. She and her husband were infeft in the barony of Baky and in the third part of the barony of Forgandenny 27 July 1597. She was kenned to her terce of Longforgan, when the cavels being cast, the sunny third part fell to her, 27 February 1616.[2] She died at Edinburgh 27 February 1618, her executors being her sons James and Frederick.[3] The children of the marriage were:—

1. JOHN, second Earl of Kinghorne.
2. *James*, who received the lands of Auldbar from his elder brother on 9 April 1619,[4] and in the following year he granted a discharge to his brother the Earl of the succession due to him by the death of his father and mother.[5] His nephew Earl Patrick calls him 'a mightie covenanter,'[6] but Baillie styles him 'that learned and noble gentleman Auldbarr.'[7] From July 1630 to August 1641 he was one of the representatives of the county of Angus in Parliament,[8] and one of the Lords of the Articles.[9] He was a strenuous promoter of the interests of the Covenant, particularly in his own county, and being one of the three Commissioners from Parliament to the Assembly,[10] he took a prominent part in the negotiations between the two bodies.[11] Dying without issue before 13 August 1641,[12] his lands returned to the Earl.[13]
3. *Patrick*, who died young.[14]
4. *Frederick*, who had a charter of novodamus of Brigton in 1622;[15] subsequently he acquired Drumtochty,[16] Scrogerfield, and Ingliston.[17] One of the members of Parliament for Forfarshire January 1644 to February 1646,[18] and like his elder brothers supported the

[1] *Cal. of Border Papers*, ii. No. 72. [2] Original Decree at Glamis. [3] Commissariot of St. Andrews. [4] *Reg. Mag. Sig.*, 29 July 1619. [5] Glamis Writs. [6] *Glamis Book of Record*, 20. [7] Baillie's *Letters*, i. 160. [8] *Parliamentary Return of Members of Parliament.* [9] *Acta Parl. Scot.*, v. 223-224. [10] *P.C. Reg.*, 2nd ser., v. 109. [11] Baillie's *Letters*, i. 360. [12] Which is the date of his successor's election as representative of the shire of Angus in Parliament. [13] *Forfar Retours*, No. 267. [14] Genealogy at Glamis. [15] *Reg. Mag. Sig.*, 31 July 1622. [16] *Ibid.*, 23 March 1633. [17] *Ibid.*, 21 August 1643. [18] *Parliamentary return.*

Covenant, serving on various war committees.[1] He was for some time Tutor to Patrick, third Earl of Kinghorne.[2] He died in 1660.[3] He married, first, Margaret, daughter of Sir Patrick Ogilvie of Inchmartine, and had issue :—

(1) *Patrick*, who on 27 August 1652 had a charter from his father of the Brigtoun, Inglistoun, and Kirktoun of Kinnettles and Scrogerfield, reserving his own liferent and that of his wife Dame Jean Stewart.[4] In 1661 a Commissioner of Supply for Forfar and Perth.[5] Captain 1677-84 of No. 7 Company of the Angus Foot Militia.[6] He married, in 1660, Elizabeth, sister of William Gray of Invereightie,[7] who survived him, and married, secondly, Mr. Patrick Lyon, advocate.[8] They had issue two daughters.

(2) *John*, mentioned in his father's charter of 27 August 1652. Apprentice to Patrick Nicoll, merchant, Edinburgh, 5 March 1656,[9] afterwards a merchant-burgess and bailie of that city. Commissioner of Excise and J.P. for Forfar.[10] He died in 1670.[11] Married 28 January 1662, Margaret, daughter of John Nevay of that Ilk.[12] They had issue :—

i. *David*, designed in his father's will as eldest son and was his executor.[13] He had sasine of Brigton 2 November 1679, reserving his mother's liferent.[14]

ii. *John*, served heir to his brother David in Brigton and others 24 March 1685,[15] and on the same day served heir-in-general to his father John.[16] Commissioner of Supply for Forfar 1686.[17] He died November 1696, having married Cecilia, daughter of Mr. David Dunsmure (who married, secondly, James Stewart).[18] They had a son :—

(i) *John*, served heir to John his father 5 August 1718 in Brigton, Ingliston, and Scrogerfield.[19] It was while interposing in the scuffle between him and Carnegy of Phinhaven at Forfar on 10 May 1728 that Charles, fourth Earl of Strathmore and Kinghorne lost his life. He married, in September 1720, Euphemia Young, only daughter of Joseph Young, merchant in Edinburgh.[20] They had issue :—

a. Charles, served heir to his father John in Brigton 4 November 1740 ;[21] served

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[1] *Acta Parl. Scot.*, vi. pt. i. 28, 55, 69,71, 560. [2] *Glamis Book of Record*, 18. [3] *Ibid.* [4] *Reg. Mag. Sig.* [5] *Acta Parl. Scot.*, vii. 94. [6] Militia Papers H. M. Reg. Ho. [7] Gen. Notes at Glamis. [8] *Ibid.* [9] Register of Edinburgh Apprentices. [10] *P. C. Reg.*, 3rd ser., ii. 598. [11] Commissariot of Edinburgh, 23 February 1671. [12] Edinburgh Marriage Reg. [13] Forfar Inhibitions, 6 December 1671. [14] Glamis Writs. [15] *Forfar and Aberdeen Retours.* [16] *Services of Heirs*, No. 6630. [17] *Acta Parl. Scot.*, viii. 610. [18] Edinburgh Marriage Reg. [19] *Services of Heirs.* [20] Kinnettles Reg. [21] *Services of Heirs.*

heir-general to his mother 6 April 1744.[1] He sold the estate of Brigton 20 May 1743, and died before 14 December 1754.

b. John.

c. Joseph.

d. Susanna, married to David Nairne of Drumkibbo, with issue.

e. Agnes.

f. Cecilia.

g. Euphan.

iii. *Helen*, married to Mr. William Gray of Invereightie. She had sasine on her marriage-contract 1693.[2]

(3) *Anna*, married David Nevay of that Ilk, son of the above John. In 1679 her liferent in the estate was reserved.[3]

He married, secondly, Dame Jean Stewart, relict of George Crichton of Arbeckie, to whom, on 22 April 1650, he granted a liferent of the Kirkton of Kynnell,[4] but by her he had no issue.

5. *Anne*, married (contract 2 and 9 September 1618) to William, Lord Hay, who afterwards succeeded as tenth Earl of Erroll. Her tocher was 40,000 merks.[5] She granted in the same terms as her brother James a discharge of all sums she could claim by the death of her parents and Jean her sister, dated *ut supra.*

6. *Jean*, died unmarried before 2 October 1618.

X. John, second Earl of Kinghorne, and tenth Lord Glamis, born 13 August 1596.[6] He was served heir in the lordship of Glamis, under a special dispensation from the King, 31 March 1617.[7] On 4 April 1617 he purchased from Patrick Kinnaird of Inchture the two parts of the lands of Mylnehill and the lands of Longforgan called the Byreflats for 22,000 merks. Brydestoun he purchased in 1619 from Patrick Langlands, portioner of Collace; the lands of Lenros and Aikers of Baky from John Lyon of Westhill of Glamis 27 February 1621; the lands of Tullos and Craichie from William, Earl of Morton and John Lyon of Auldbar in 1621.[8] About the same time he acquired the patronage of Roscobie, Airlie, and Kinghorne.[9] The lands of Drumgowan and Courtastoune in Aberdeenshire, which had been in the family from the Chamberlain's time, he sold

[1] *Services of Heirs.* [2] *Forfar Sasines.* [3] Glamis Writs. [4] *Reg. Mag. Sig.*, 22 July 1652. [5] *Ibid.*, 2 March 1619. [6] The Scots Nobilitie. [7] *P. C. Reg.*, xi. 83. [8] Glamis Writs. [9] *Ibid.*

on 30 June 1619 to John Leith of Whitehaugh;[1] Forgandenny he sold to Laurence Keir, Writer in Edinburgh, on 28 March 1628. The 'Troubles' then began in earnest, and there were no more acquisitions.

Earl Patrick (XI.) in lamenting his father's devotion to the cause of the Covenant, which did indeed bring the family to the verge of ruin, hints that it was all owing to the influence of his brother James of Auldbar, Earl John being a man 'easie to be intreated,'[2] but in justice to Auldbar and with deference to this filial explanation of what Earl Patrick regarded as a parent's weakness, it must be pointed out that such a view is nowhere countenanced by record. There is not in all these centuries of Lyon family history any example of facility to be found, least of all is any such weakness apparent in the career of Earl John. From 1621 he took an active part in the public business of the country, siding with the great majority of the nation against the King, and the records of Privy Council and of Parliament teem with testimonies to his energy. He served on all the important committees of State from 1627 onwards, and was the leading member of the commission to consider the proper sites for fortifications on the sea-coasts. On 22 September 1638 the Privy Council in a body subscribed the Confession of Faith, and having set the example, proceeded to enforce it upon their fellow-subjects.[3] The Earl, with Auldbar his brother and Montrose, formed three out of a committee of six appointed to enforce its acceptance upon the shire of Forfar with results which Sheriff Napier delights to record,[4] and in the same year he accompanied Montrose in his Aberdeen campaign, and the energy and ability he then displayed, as well as the material aid he brought from his own estates, contributed largely to its successful issue,[5] and it was an Aberdonian Homer who sang:—

'God bliss Montrois our General,
The stout Earl of Kinghorne,
That we may long live and rejoyce
That ever they were borne.'

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[1] *Reg. Mag. Sig.* [2] *Glamis Book of Record*, 20. [3] *P. C. Reg.*, 2nd ser., vii. 71. [4] Napier's *Memoirs of the Marquess of Montrose*, i. 165, 173, 184. [5] Spalding's *History of the Trubles*, 92.

The Earl's principles were now to be put to the severest test. The great Marquess of Montrose, one of his oldest friends, with whom he had contended in youthful emulation for the silver arrow on the Links of Barry and St. Andrews, and who had been in happier days his guest at Glamis,[1] was now about to embark on that career of victory which shed its radiance over the sinking cause of the King. Perfectly aware of the importance of securing the help of so experienced and powerful a man as the Earl of Kinghorne, Montrose spared no effort to induce his old friend to join him. At first the Earl wavered, and with Montrose as suitor who can wonder? He joined in the Cumbernauld bond in August 1640.[2] But the hesitation was temporary. He was present in the Assembly of 1641 when the bond was denounced as unlawful, and members were required to sign a declaration to that effect. 'Kinghorne, being present, subscribed,' writes Baillie, fully aware of the significance of the act.[3] On 18 November 1641 he was appointed a member of the reconstituted Privy Council,[4] and on 26 August 1643 colonel of one of the Foot regiments of Forfarshire.[5] During Montrose's career of victory, which lasted from September 1644 to September 1645, he took an active part in organising the armies raised to oppose his former friend and ally, pledging his credit for immense sums borrowed to advance the cause of the Covenant.[6] The result of his exertions was that, coming to his inheritance the wealthiest Peer in Scotland, he left it the poorest. He died at St. Andrews 12 May 1646[7] of the plague, communicated by the Earl of Erroll's preceptor.[8] By his will, dated at Glamis 15 January 1644, he 'ordaines our bodie to be buried honorablie conforme to our rank in our awand buriell in the kirk of Glamis,' and nominated his wife sole executrix and tutrix to his son.[9]

He married, first (contract 19 June 1618), Margaret Erskine, third daughter of John, seventh Earl of Mar, marriage tocher £20,000,[10] with issue a daughter *Marie*, who died

[1] Napier's *Memoirs of the Marquess of Montrose*, i. 47, 49. [2] Mr. Andrew Lang's *Hist. of Scotland*, iii. 77. [3] Baillie's *Letters*, i. 375. [4] *P. C. Reg.*, 2nd ser., vii. 144. [5] *Acta Parl. Scot.*, vi. pt. I. 51. [6] *Ibid.*, 175, 432, 448, 584. [7] Date in *Glamis Book of Record*, 19. The date in the St. Andrews Comm. is 1647. [8] Gen. Notes at Glamis. [9] St. Andrews Tests., 29 March 1650. [10] *Reg. Mag. Sig.*, 2 April 1619; Glamis Writs.

young 7 November 1639; secondly, Elizabeth Maule, second daughter of Patrick, first Earl of Panmure.[1] On 20 August 1641 he granted his future wife the barony of Bakie.[2] She survived him, and married, secondly, on 30 July 1650, George, third Earl of Linlithgow.[3] She died at Castle Lyon in October 1659.[4] They had issue:—

1. Patrick, third Earl of Kinghorne.
2. *Joan*, died young, unmarried.[5]
3. *Elizabeth*, married (contract 28 August 1665) to Charles, first Earl of Aboyne.[6]

XI. Patrick, third Earl of Kinghorne, eleventh Lord Glamis, born 29 May 1643. Educated at the University of St. Andrews. On 12 April 1654 fined by the usurper Cromwell in £1000 sterling,[7] which sum was afterwards reduced to £250.[8] Many details of his useful and happy life are to be found in the *Glamis Book of Record*. On 30 May 1672 he obtained a new charter on his own resignation of the title and dignity of Earl of Kinghorne, Lord Lyon and Glamis, and of the lands of the earldom, to himself and the heirs-male of his body, whom failing, to any other persons whom he should please to nominate during his life, 'etiam in articulo mortis,' as his heir. This grant was ratified in Parliament.[9] On 1 July 1677 he received an addition to his title, which in future was to be EARL OF STRATHMORE AND KINGHORNE, VISCOUNT LYON, LORD GLAMMIS, TANNADYCE, SIDLAW, AND STRADICHTIE, with the precedence of the former honour of Earl of Kinghorne.[10] On this question of precedency he had a struggle with the Earl of Lothian, the progress of which is narrated in the Acts of Parliament.[11] The rubric only of the final decreet in his favour appears on record, 8 May 1685, but the protest by the Earl of Lothian on 29 April 1686 is for precedency 'before the

[1] The Scots Nobilitie. [2] *Reg. Mag. Sig.*, 17 November 1641. [3] Lamont's *Diary*, 22. [4] *Ibid.*, 119. [5] *Glamis Book of Record*, 50. [6] Cf. vol. i. 103. [7] *Acta Parl. Scot.*, vi. pt. ii. 820. [8] *Ibid.*, 845. [9] *Ibid.*, viii. 192, 11 September 1672. [10] *Reg. Mag. Sig.*, vol. lxvi., No. 79. 'We . . . create . . . the said Patrick, Earl of Kinghorne . . . Earl of Strathmore and Kinghorne, etc. . . . and ordain that these our present Letters Patent shall be as valid and effectual to the said Earl . . . as if his deceased grandfather by his foresaid Letters Patent [of 10 July 1606] had been designed Earl of Strathmore and Kinghorne.' [11] *Acta Parl. Scot.*, viii. 454.

Earles ranked in the rolls after the Earle of Strathmore.'[1]

To make headway against the enormous load of debt for which his father had become responsible, he was compelled to part with many of the family estates. Fothros and Schenwall, otherwise Tentsmuir, were sold by his tutors in 1649, and Inchsture and Holms were also sold during the minority. The barony of Belhelvics, in Aberdeenshire, he sold to his uncle George, Earl of Panmure, 'at a just and equal price,' as he gratefully records. He also parted with Bakie, Byreflatt, Newton, and Nether Blackhall. In 1684 he sold the island of Inchkeith to Sir George Mackenzie. With the proceeds of these sales, added to strict economy and great business capacity, he was not only enabled to expend large sums on buildings and improvements at Glamis and Castle Lyon, now Castle Huntly, and wipe out a large part of his father's obligations, but to make substantial additions to the estates retained. The lands of Thornton he purchased from John Seton of Thornton 25 August 1662; the Vicar's manse and Westhill of Glamis from Captain David Lyon 22 June 1664; the barony of Reidie from Sir David Nevay of Reidie 1 August 1664; Drymmie from Sir George Kynnaird of Rossie 26 November 1664; Fofarty from William Gray of Invereightie in January 1670; Haystoun from William Gray of Haystoun also in January 1670; the barony of Kynnaird, with the church patronage, the Seamills of Dundee and Ferryboats and Admiralty of the River Tay, from James, Earl of Newburgh, 23 June 1670; the Castle of Kinghorne from Sir Robert Kirkcaldy of Grange the same year; Halltoun of Eassie and Balgownie Eassie from Donald Thorntoun of Balgownie 15 June 1671; the Office of the Constabulary of the Burgh of Forfar and the superiority of Nevay and Knap from William Gray of Carse 19 May 1672; the Preceptory of Balgownie Eassie and Chaplainry of Baikie from Mr. John Lyon, Writer in Edinburgh, in the same year.[2] In 1662 he obtained an Act of Parliament for the holding of two yearly fairs in the town of Longforgan, 'a very populous place, far distant from any royall burgh,' to be held on the last Tuesday of July and

[1] *Acta Parl. Scot.*, viii. 461, 579. [2] Glamis Writs.

the first Tuesday of October;[1] in 1669 an Act for a weekly market and a yearly fair at Glamis;[2] and in 1686 an Act for holding four free fairs in the year on his lands and baronies, the dates and places being unspecified.[3]

He took his share in public life, and was a regular attender at all the Parliaments held between the Restoration and the Revolution. In 1685 he was nominated one of the Lords of the Articles,[4] and served on several important committees. In 1680 he was appointed a Commissioner of the Treasury.[5] In 1681 he received a pension of £500, 'in consideration of his loyalty and great charge in public employments'[6] and in 1682 became a Privy Councillor.[7] On 27 March 1686 he was appointed an Extraordinary Lord of Session, from which post he was removed at the Revolution.[8]

On 29 September 1668 he was appointed captain of the second troop of Forfarshire Militia.[9] This commission he held until 1682, when he voluntarily demitted it in favour of his eldest son. On 29 May 1676 he became colonel of the Forfarshire Regiment of Foot Militia, which he held until 1685, when the force ceased to be called out.[10] In January 1678 he was nominated a member of the Western Committee appointed to superintend the operations of the 'Highland Host,' which marched into the south-western shires in the spring of that year, to compel the population to submit to the orders of the Privy Council in regard to the suppression of Conventicles and other irregularities within their bounds.[11] As the Minutes of the Committee in question show, he was by far the most regular attender of its meetings, being absent on only two occasions between 24 January and 20 March, when the force was withdrawn. The Host was mustered at Stirling 24 January 1678, and numbered 590 horse and 6124 foot, of which Angus contributed 104 horse and 1000 foot, the horse in two troops, the first being commanded by the Earl of Airlie. Lord Strathmore's operations were chiefly in Ayrshire, where the memory of the Angus men is still green by reason of

[1] *Acta Parl. Scot.*, vii. 414. [2] *Ibid.*, 660. [3] *Ibid.*, viii. 650. [4] *Ibid.*, 457. [5] *Treas. Rec.* [6] *Ibid.* [7] *P. C. Reg.* [8] Brunton and Haig, p. 426. [9] Com. in *P. C. Reg.* [10] Militia Papers, H.M. Reg. Ho. [11] Minutes of the Western Committee, H.M. Reg. Ho.

Wodrow's incessant references to their exploits.[1] The Earl also invaded Lanarkshire and drew upon himself a severe protest from the Duchess of Hamilton, duly served upon him by a notary;[2] it is perhaps this incident which is referred to in the otherwise obscure reference to him by Cleland in his *Expedition of the Highland Host*.'[3] The greater part of the Host returned home early in March, and the only force hailing from beyond the Forth after that date were the Angus Horse and Foot. They remained until the Western Committee made its final report to the Privy Council, and returning by Linlithgow, Inverkeithing, Kirkcaldy, and Dysart, were disbanded at Dundee in the first week of April 1678.[4] He took no part in the campaign which terminated at Bothwell Brig in 1679, but in the Argyll Rising of 1685 he was again out with his Regiment, which escorted to Edinburgh the spoils of that campaign. Large quantities of meal and other victual were at this time purchased by Government from the Earl, and stored at Stirling for the use of the troops.[5]

On 23 July 1672 he received the commission of lieutenant in the King's Life Guards, of which the Marquess of Atholl was captain; this employment he resigned 18 July 1680.[6]

His attitude towards the Revolution of 1688 was passively hostile, and he remained in Edinburgh up to January 1689, in the hope of preventing its success. But ultimately he accepted the new rule, and he is last noted as appearing in Parliament on 15 May 1693.

Earl Patrick died on 15 May 1695. The editor of the *Glamis Book of Record* justly sums up his character, 'a man of strict integrity and uprightness, with a profound respect for the honour of his ancestors, and a deep sense of his responsibility to posterity.' He married (contract dated at Holyrood 23 August 1662) Helen Middleton, second daughter of John, Earl of Middleton, then Lord High Commissioner. The ceremony was performed on the same day by Archbishop Sharpe,[7] the Earl being then nineteen years and four months of age. In that very human document, the *Glamis Book of Record*, no episodes make more delightful

[1] Wodrow's *Hist. of the Sufferings of the Church of Scotland*, ii. 388, 412, 421, 424, 425, 426, 428, etc. [2] *Ibid.*, 430 *note*. [3] Cleland's *Poems*, 24. [4] *A Military History of Perthshire*, 116. [5] Militia Papers, H.M. Reg. Ho. [6] Warrant Book, Scotland. [7] Lamont's *Diary*, 154.

reading than those in which the Earl refers to his wife; these disclose a rare picture of domestic felicity, and they were sweethearts to the end. She died May 1708,[1] having had issue by him:—

1. JOHN, fourth Earl of Strathmore and Kinghorne.
2. *Mr. Patrick*, received the lands of Auchterhouse for his patrimony.[2] M.P. for Angus from 22 September 1702 to the Union.[3] He voted uniformly against the Treaty of Union with England.[4] His name occurs in the list of persons for whose arrest warrants were issued on the occasion of the Jacobite scare of 1708,[5] and he was present on the Braes of Mar, 9 September 1715, when the standard of King James VIII. was raised.[6] He, with the Earl of Aboyne, brought in the men of Aboyne, who were brigaded with the Panmure contingent and designated the Panmure Highlanders,[7] Auchterhouse being lieutenant-colonel.[8] He was killed at the battle of Sheriffmuir, fought 13 November 1715.[9] 'A man of very great honour.'[10] He married Margaret Carnegie, sister of that James Carnegie of Phinhaven who accidentally killed Charles, Earl of Strathmore. She died *s.p.* at Finhaven 14 April 1742.[11]
3. *Charles*, died 1692.
4. *Grizel*, married (contract 19 April and 8 May 1696) to David, third Earl of Airlie.[12]
5. *Elizabeth*, married, first, to her cousin Charles, second Earl of Aboyne;[13] secondly, as his second wife, to Patrick, third Lord Kinnaird;[14] and thirdly, after 1715, to Captain Alexander Grant of Grantsfield. She died January 1739.[15]

XII. JOHN, fourth Earl of Strathmore and Kinghorne, and twelfth Lord Glamis, was born 8 May 1663.[16] Edu-

[1] Gen. Notes at Glamis. [2] Carse MS. [3] *Parl. Return of Members of Parl.* [4] *Acta Parl. Scot.*, xi. 237, 313, etc. [5] Lockhart Papers. [6] Patten's *Hist. of the Rebellion in Scotland*, 17; Rae's *Hist. of the late Rebellion*, 189. [7] *Memoirs of the Insurrection in Scotland in* 1715, by John, Master of Sinclair, 50. [8] *Ibid.*, 51. [9] Patten, 61, where Aucterhouse is referred to as missing. According to Sinclair, he was killed in the retreat. [10] Sinclair, *ut sup.*, 227. [11] *Carnegie Book*, ii. 425. [12] Cf. vol. i. 127. [13] Cf. vol. i. 103. [14] Cf. vol. v. 210. [15] Cf. vol. i. 103. [16] *Glamis Book of Record*, 31.

cated at the University of St. Andrews. Travelled abroad in his youth. Captain of the second troop of Angus Militia 7 February 1682.[1] Served heir to his father 29 October 1695.[2] On 12 March 1696 appointed Sheriff of Forfar.[3] He was a great encourager of horse breeding, and owned in his time several race-horses. Among his memoranda is one dated 17 February 1702: 'I went down this day to Barry Sands to see the race 'twixt my Red Rose and Sir James Kinloch's gelding, which I won.' He was an uncompromising opponent of the Whig administrations of the period. He subscribed £500 to the Darien Scheme.[4] On 14 January 1701 he voted for the Act asserting the right of the nation to Darien, a proposal the ministry succeeded in defeating.[5] He consistently opposed the Treaty of Union. In 1706 Lord Strathmore wrote the Earl of Mar, then Secretary of State for Scotland, asking for the protection of Episcopal ministers against Presbyterian zeal, to which Mar rejoined, 'The ministers your lordship writes of, are not qualified conform to law by taking the oaths, so if people will persew them, there is no protecting them.'[6] In 1708, when many people were put under arrest in prospect of a Jacobite invasion, it was accounted a ferlie that the Earl of Strathmore should be allowed to go about without guards.[7] Macky wrote of him, 'This gentleman is well bred and good natured, hath not yet endeavoured to get into the administration, being no friend to Presbytery. He hath two of the finest seats in Scotland, Glamis and Castle Lyon; is tall, fair, and towards fifty years old.'[8]

The Earl died on 10 May 1712.[9] He married (contract 21 September 1691) Elizabeth Stanhope, daughter of Philip, second Earl of Chesterfield, by his second wife Lady Elizabeth Butler, daughter of James, Duke of Ormond.[10] She was a careful wife and mother, ample evidence of both facts being found in her household book 1706-24, still preserved at Glamis. She died 24 April 1723, leaving issue:—

[1] Militia Papers, H. M. Reg. Ho. [2] Glamis Writs. [3] *Ibid.* [4] *A perfect list of the several persons residenters in Scotland, who have subscribed as adventurers in the Joynt-Stock of the Company of Scotland, trading to Africa and the Indies*: Edinburgh, 1696. [5] *Acta Parl. Scot.*, x. 246. [6] *Rep. Hist. MSS. Com.*, Papers of Earl of Mar and Kellie, 1904, pp. 261-266. [7] *Ibid.*, 440. [8] *Characters of the Nobility of Scotland*, 246. [9] Reg. of Birthbriefs, Lyon Office. [10] Original Articles of Marriage at Glamis.

1. *Patrick*, Lord Glamis. Educated at Edinburgh and Aberdeen. He died before 10 September 1709.
2. *Philip*, Lord Glamis. Baptized 29 October 1693.[1] He was educated with his elder brother until the latter's death. He then proceeded to Oxford, where, after an illness of nine days, he died on 18 March 1712.
3. JOHN, Lord Glamis, who succeeded as fifth Earl of Strathmore and Kinghorne.
4. CHARLES, who succeeded as sixth Earl of Strathmore and Kinghorne.
5. *Hendrie*, baptized 1 July 1700;[2] died young.
6. JAMES, who succeeded as seventh Earl of Strathmore and Kinghorne.
7. THOMAS, who succeeded as eighth Earl of Strathmore and Kinghorne.
8. *Helen*, baptized 3 January 1695,[3] married (contract in 1714) to Robert, seventh Lord Blantyre,[4] by whom she had no surviving issue. She died at Bath 19 December 1723.
9. *Mary*, baptized 16 April 1697,[5] who died, unmarried, at Glamis Castle 26 May 1780.
10. *Catherine*, baptized 24 April 1707; died young.

XIII. JOHN, fifth Earl of Strathmore and Kinghorne, and thirteenth Lord Glamis, baptized 27 April 1690;[6] served heir to his father 11 September 1712.[7] When the Earl of Mar reached Perth in the end of September 1715 with the forces raised by him in support of the cause of James VIII., Lord Strathmore joined him with a battalion of Foot raised from his own estates.[8] He steadily devoted himself to the training of his corps, and it formed part of the force despatched by Mar to join Lord Kenmure and the Earl of Nithsdale in the south of Scotland.[9] The command of the expedition was given to Brigadier Mackintosh of Borlum, who marched his force to Burntisland, and leaving there a small party to make a feint of crossing, turned eastwards along the Fife coast, and on the night of the 12 and 13 October embarked his men

[1] Glamis Parish Reg. [2] *Ibid.* [3] *Ibid.* [4] Cf. vol. ii. 88. [5] Glamis Par. Reg. [6] *Ibid.* [7] Glamis Writs. [8] *Memoirs of the Insurrection in Scotland in* 1715, by John, Master of Sinclair, 40. [9] Rae's *Hist. of the late Rebellion*, 237.

in open boats at Elie, Pittenweem, the Ansters, and Crail. The English men-of-war who were guarding the Forth concentrated their attention on Burntisland, and did not discover that they had been outwitted until the greater part of Borlum's force was safely across, including four companies of the Strathmore regiment.[1] The English ships now gave chase and captured two boats, the remaining part of the flotilla containing Lord Strathmore, his lieutenant-colonel, Walkinshaw of Barrowfield, and 200 men being driven on to the Isle of May, where they were attacked by the English longboats. They made a successful defence, and after maintaining themselves eight days on the island, succeeded in regaining the Fife coast, the Earl being the last man to enter the boats.[2] On the 8 of November Mar at last set out on his journey southwards, leaving behind him as a garrison in Perth the Ogilvy regiment and that part of Lord Strathmore's which had not marched into England with Borlum.[3] At this juncture Lord Tullibardine, who had been promoted major-general, gave over his regiment to his cousin Lord Strathmore, and it was in command of this corps that the Earl marched in the left wing of the Jacobite army.[4] The opposing forces met at Sheriffmuir on 12 November 1715. The right wing of Argyll's army, commanded by the Duke in person, after a stubborn contest of three hours, compelled the left wing of the Highland army to give way, and drove it step by step across the Allan Water. The Highlanders lost heavily, and among the slain was the Earl of Strathmore. The last scene is thus described by a brother officer: 'On our left the brave younge Strathmore was killed after being wounded and takne . . . when he found all turning their backs he seized the colours, and persuaded fourteen or some such number to stand by him for some time, which dreu upon him the ennemie's fire, by which he was wounded in the bellie, and goeing off was takne and murder'd by a dragoon, and it may be said in his fate that a mill-stone crusht a brilliant. He was the younge man of all I ever saw who approached the nearest to perfection . . . and his least qualitie was

[1] A list of the officers of these four companies, afterwards taken prisoners at Preston, is given in Patten's *History of the late Rebellion*, ed. 1717, 155.
[2] Sinclair, 129. [3] Rae, Patten, p. 35. [4] *A Military History of Perthshire*, 279 *note* 2.

that he was of a noble ancient familie and a man of qualitie.'[1] On 4 January following King James VIII. and the Earl of Mar arrived at Glamis Castle, where they remained several days,[2] and from whence Mar addressed a circular letter of encouragement to his supporters, but his own incapacity and indecision were so manifest that the cause for which the young noble laid down his life collapsed a few weeks afterwards.

XIV. CHARLES, sixth Earl of Strathmore and Kinghorne and fourteenth Lord Glamis, baptized 12 July 1699.[3] Served heir-general to his brother John 9 April 1717.[4] He took an active part in settling the disputes among the Episcopalian party in Scotland.[5] He was one of the nobles who refused to take the oath of allegiance to the House of Hanover.[6] It will be remembered that the family had been compelled to part with the Aberdeenshire estates in the time of Patrick, third Earl of Strathmore and Kinghorne, but the old connection was not forgotten, and in the Civil War of 1715 a body of Aberdeenshire men was placed under the command of Patrick Lyon of Auchterhouse, who fell at Sheriffmuir. A still more striking episode occurred in the time of Earl Charles. Several families bearing the names of Bowman and More in Glenmuick and Glenesk approached his Lordship in the autumn of 1723, setting forth that their forebears were truly and really of the sirname of Lyon, who had come out of the shire of Angus on account of some troubles, and assumed the names of Bowman and More, but being by blood Lyons they now desired to resume their true sirname. The Earl acknowledged the kinship, and they accordingly entered into a bond with him as their chief and protector, and became bound to answer his call upon all occasions, the Earl on the other hand receiving them into his protection and acknowledging them to be of his clan and family. The contract, dated at Aboyne 2 October 1723, was subscribed by twenty-six heads of families taking the name of Lyon, together with one who subscribed 'A. G. their pyper.'[7]

Earl Charles was accidentally stabbed at Forfar on

[1] Sinclair, *ut sup.*, p. 227. [2] Patten, p. 76. [3] Glamis Parish Reg. [4] Glamis Writs. [5] Andrew Lang's *History of Scotland*, iv. 333. [6] *Ibid.*, 357. [7] Original bond in Glamis Charter-room.

Thursday 9 May 1728, by James Carnegy of Phinhaven, and he died of his wound on Saturday 11 May. Phinhaven was tried for murder at the Justiciary Court at Edinburgh on 25 July following, and was acquitted.

Earl Charles married (contract 21 July), on 25 July 1725, Susan Cochrane, second daughter of John, fourth Earl of Dundonald,[1] but by her had no issue. She married, secondly, on 2 April 1745, Mr. George Forbes, her factor, and died in the Roman Catholic faith at Chaventon, near Paris, 23 June 1754.

XV. James, seventh Earl of Strathmore and Kinghorne, and fifteenth Lord Glamis. Baptized 24 December 1702.[2] Served nearest heir-male and of provision to his brother Earl Charles on 2 December 1729. He entered the Army and had a company in Barrell's Foot (22nd Regiment) 1732. In his time a sept of the name of Breassauch, dwelling in Glenshee and Glenisla, entered into a contract similar to that between Earl Charles and the Bowmans and the Mores. They declared the sirname of Breassauch to be only their borrowed name, and they now desired to assume their true name of Lyon, and acknowledge the Earl to be their chief. The Earl admitted the claim and acknowledged them to be of his kin and blood. The contract, dated at Glamis Castle 28 July 1731, is subscribed for the Clan by their leader Patrick Lyon, who is designed therein Captain Patrick Lyon, younger of Innerarity.[3]

The Earl died 4, and was interred 18, January 1735,[4] in the Abbey of Holyroodhouse. He married, 6 March 1731, Mary, daughter of Charles Oliphant, M.D., brother of the Laird of Langton, burgess of Inveraray, and M.P. for the Ayr burghs, *s.p.* She died at Glamis Castle 7 September 1731.[5]

XVI. Thomas, eighth Earl of Strathmore and Kinghorne, and sixteenth Lord Glamis. Baptized 6 July 1704.[6] Served nearest heir-male of Earl James his brother on 26 October 1738. He was elected M.P. for Forfarshire 30 May 1734,

[1] Edinburgh Marriage Reg. [2] Glamis Parish Reg. of Baptisms. [3] Original bond in Glamis Charter-room. [4] Register of Birthbriefs, Lyon Office. [5] *Ibid.* [6] Glamis Parish Reg. of Baptisms.

and resigned on succeeding to the title.[1] When the heritable jurisdictions in Scotland were abolished after the Civil War of 1745-46, he claimed compensation for the heritable constableship of the burghs of Forfar and Kinghorn, and for the coronership of the shires of Forfar and Kincardine.[2] He was a great supporter of agriculture, and executed many improvements on the estates.

He died at Glamis Castle 18 January 1753.[3] He married, 20 July 1736, Jean, born 22 September 1713, eldest daughter and one of the three coheiresses of James Nicholson of West Rainton, co. Durham, who died at Hetton 13 May 1778.[4] They had issue:—

1. John, ninth Earl of Strathmore and Kinghorne.
2. *James Philip*, born at Rainton 2 July 1738. Educated at Cambridge. His friends wished him to study for the bar, but he refused, and went out to India in the service of the East India Company. He was taken prisoner at Cossimbazaar by Mir Cossim, Nabob of Bengal, and with several other British officers put to death at Patna by order of the Nabob in February 1763; unmarried.
3. *Thomas* of Hetton House, Durham, born 1741. Educated at Cambridge. Candidate in a severe contest for the county of Forfar, in which he was defeated by the family of Panmure. The struggle was so exhausting to both sides that it resulted in a family compact by which it was settled that the Houses of Panmure and Strathmore should in future return a member alternately.[5] After his defeat in the county he was elected member for the Montrose district of burghs 12 April 1768 to 30 September 1774.[6] He was M.P. for Forfarshire 29 November 1774 to 11 January 1779.[7] He died at Binchester 13 September 1796. He married, 13 June 1774, Mary Elizabeth, daughter of Farren Wren of Binchester, co. Durham, and by her, who died 13 May 1811, had issue:—

[1] *Parl. Return of Members of Parliament*, p. 83, where he is designed 'of Deanside.' [2] Claims for Compensation in virtue of the Abolition of Heritable Jurisdictions, Signet Library, Edinburgh. [3] Douglas's *Peerage*. [4] Memoranda at Glamis. [5] Original contract in Glamis Charter-room. [6] *Parl. Return of Members of Parl.*, 147. [7] *Ibid.*, 160.

(1) *Thomas*, died 7 September 1794 *s.p.*
(2) *John* of Hetton House, served heir-general to his father 12 July 1797. Married, 3 February 1812, Anne, daughter of Barrington Price (who married, secondly, in 1830, Lieutenant John William Oldmixon, R.N.), and died 20 June 1829, leaving an only daughter Mary, who married the Hon. Russell Barrington.
(3) *Charles*, born 1792. Married Miss Gibson, and died 14 August 1859.
(4) *Mary*, married, 1 January 1799 (contract dated 11 December 1798), to Thomas Wilkinson, and died 22 June 1803.
(5) *Anne*.
(6) *Frances*, married, 24 June 1811, to the Rev. Thomas Thurlow, brother of Edward, second Lord Thurlow, and died 5 January 1863.
(7) *Charlotte*, married, 20 November 1809, to the Rev. Henry George Liddell, brother of Lord Ravensworth, and died 30 January 1871.
(8) *Susan*, married, 20 May 1811, to the Rev. John Fellowes of Shottisham, in Norfolk.
(9) *Mary Anne*, married, 31 October 1821, to John Clutterbuck of Warkworth, Northumberland.

4. *Susan*, married, at Houghton-le-Spring, 5 September 1763, to General John Lambton of Harraton Hall, co. Durham, who died in 1794. She died at Nice 26 February 1769. They had issue.
5. *Anne*, married, 15 July 1768, to John Simpson of Bradley, co. Durham.
6. *Mary*, died at Hetton 22 May 1767, aged eighteen.
7. *Jane*, died, unmarried, 22 August 1836, aged sixty.

XVII. John, ninth Earl of Strathmore and Kinghorne, and seventeenth Lord Glamis. Born at Rainton 17 July 1737. Served heir-male and of line to his father in the earldom and estates on 4 May 1753. He was elected one of the Representative Peers of Scotland 1 October 1767, and re-elected at the General Elections of 1768 and 1774. He travelled much in Spain and Portugal, and died at sea on his passage to Lisbon 7 March 1776. He married, 24 February 1767, Mary Eleanor, born 24 February 1749, only child and heiress of George Bowes of Streatlam Castle and Gibside, co. Durham, by Mary, his second wife, the only daughter of Edward Gilbert of Paul's Walden, Hertfordshire. She married, secondly, 17 January 1777, Andrew Robinson Stoney of King's County, formerly Lieutenant in the 30th Foot, from whom she obtained a divorce 3 March 1789.

She died 28 April 1800. The spouses obtained in 1767 an Act of Parliament 'to enable John Bowes, Earl of Strathmore and Kinghorne, and Mary Eleanor Bowes, Countess of Strathmore and Kinghorne, his wife, the daughter and only child of John Bowes, Esq., deceased, to take and use the sirname of Bowes only, pursuant to his will and the settlement executed previous to the marriage of the said Earl and Countess.' They had issue:—

1. JOHN, tenth Earl of Strathmore and Kinghorne.
2. *George* Bowes of Paul's Walden, Hertford, born 17 November 1771. Lieutenant, Buckland and Shrivenham Yeomanry Cavalry, 20 June 1798. Married, 14 June 1805, Mary, daughter of Edward Thornhill, Esq. of Kingston Lisle, co. Berks (who married, secondly, in 1811, Barrington Price). He died *s.p.* 31 January 1806.
3. THOMAS, eleventh Earl of Strathmore and Kinghorne.
4. *Mary*, born 22 April 1768. Married, at Hallgarth, co. Durham, 11 May 1789, to Colonel Barrington Price of Beckett, co. Gloster, and died on her birthday, 22 April 1806.
5. *Anna Maria*, married, at London, 22 January 1778, to Henry James Jessop, and died 29 March 1832.

XVIII. JOHN, tenth Earl of Strathmore and Kinghorne, and eighteenth Lord Glamis. Born 14 April 1769. Served heir of line and provision to his father 11 September 1776. Cornet in the Royal Regiment of Horse Guards 15 November 1786; captain 65th Foot. Elected a Representative Peer 1796, and re-elected 1802 and 1807. Created BARON BOWES OF STREATLAM, co. Durham, AND OF LUNEDALE, co. York, in the Peerage of the United Kingdom 1815. The Earl died 3 July 1820, and with him the barony of Bowes of Streatlam expired. He married while *in articulo mortis*, at St. George's, Hanover Square (the officiating clergyman being the Dean of Carlisle), 2 July 1820, Mary, daughter of J. Millner of Staindrop (who married, secondly, 16 March 1831, the Right Hon. Sir William Hutt, K.C.B., and died 5 May 1860).

By his wife he had a son *John*, born before the marriage, who claimed the title, before the House of Lords, on the

ground that he was legitimated *per subsequens matrimonium*, but the case was decided against him, 29 June 1821, on the ground of his parents not having a Scottish domicile.[1]

XIX. THOMAS, eleventh Earl of Strathmore and Kinghorne and nineteenth Lord Glamis, brother of the preceding. Born 3 May 1773. In 1806 he succeeded to the estate of Paul's Walden on the death of his immediate elder brother George. High Sheriff of the county of Leicester 1810. He died at the Palace of Holyrood on Thursday, 27 August 1846. He married, first, 1 January 1800, Mary Elizabeth Louisa Rodney, only daughter and heiress of George Carpenter of Redbourn, Herts, and by her, who died at Caldecote Hall 1 June 1811, he had issue:—

1. *Thomas George*, Lord Glamis, born 6 February 1801; married, 21 December 1820, Charlotte, daughter of Joseph Valentine Grimstead, who died 19 January 1881. Lord Glamis died 27 January 1834, leaving issue by his wife:—

   (1) A son, born and died 21 October 1821.
   (2) THOMAS GEORGE, twelfth Earl of Strathmore and Kinghorne.
   (3) CLAUDE, thirteenth Earl of Strathmore and Kinghorne.
   (4) *Herbert*, died in infancy.
   (5) *Arthur*, died in infancy.
   (6) *Charlotte*, born 15 May 1826; died 22 October 1844.
   (7) *Frances*, to whom a patent of precedence was granted 10 February 1847. She was married, 2 February 1858, to Hugh Charles Trevanion, who died 20 May 1901. She died 27 January 1903, leaving surviving issue.

2. *Mary Isabella*, born 8 August 1802; married, 8 August 1824, to John Walpole Willis, Barrister-at-law, D.L., who died 10 September 1877, leaving issue. This marriage was dissolved by Act of Parliament, 1833.

The Earl married, secondly, in 1812, Eliza, daughter of Colonel Northcote, and by her he had issue:—

3. *Sarah*, born 8 August 1813; married, first, on 2 November 1834, to George Augustus Campbell, of the H.E.I.C.S., who died 7 November 1841; and, secondly, on 13 July 1843, to Major Charles Philip

[1] Riddell's *Peerage Law*, ii. 848.

Ainslie, of the 14th Light Dragoons. She died 6 June 1847.

The Earl married, thirdly, on 8 December 1817, Marion, daughter of George Cheape of Sauchie, and widow of Sir Alexander Campbell, Bt. of Ardkinglas. She died at Holyrood 23 October 1849.

XX. Thomas George, twelfth Earl of Strathmore and Kinghorne, and twentieth Lord Glamis. Born at St. Paul's Walden 28 September 1822. Cornet and sub-lieutenant 1st Life Guards 28 June 1839; captain South Hertfordshire Yeomanry Cavalry; lieutenant-colonel Forfarshire Yeomanry 1856-62; Deputy-Lieutenant of Forfarshire 1847; a Representative Peer 1852-65. A great patron of the turf, and although his horses seldom or ever won a race, his devotion to the sport remained unabated. For a considerable period before his death he resided at Glamis Castle, where he died 13 September 1865. He married, 30 April 1850, Charlotte Maria, eldest daughter of William, sixth Viscount Barrington, who died 3 November 1854, *s.p.*, aged twenty-eight.

XXI. Claude, thirteenth Earl of Strathmore and Kinghorne and twenty-first Lord Glamis. Born at Redbourne 21 July 1824. Educated at Winchester and at Christ Church, Oxford. Cornet and sub-lieutenant 2nd Life Guards 30 June 1848; lieutenant 6 July 1852; retired 15 December 1854. Received the precedence of an Earl's son by royal warrant, dated 8 February 1847. An Honorary Freeman of Forfar 1868. In 1874 an Honorary Burgess of Dundee. A Representative Peer 1870-86. Created, 1 July 1887, in the Peerage of the United Kingdom, BARON BOWES OF STREATLAM CASTLE, in the county of Durham, and of LUNEDALE, in the county of York. July 1874, Lord-Lieutenant of Forfarshire. He altered the family name from Lyon-Bowes to Bowes-Lyon. He rendered the most eminent services to agriculture, a fact recognised by the Highland and Agricultural Society, which elected him President in 1885 and again in 1890. He took a leading place among the breeders of polled cattle, the Glamis herd being famous the world over,

and he was the first winner at Islington of Queen Victoria's Challenge Cup for the best animal bred by the exhibitor. He was also an exceedingly successful breeder of Clydesdale horses and Shropshire sheep. As a wise and generous landlord he was held in high respect by his tenantry and neighbours, and he was President of a large number of local societies having for their objects the promotion of the prosperity and happiness of his fellow-subjects. He was an ardent supporter of the Scottish Episcopal Church.

He died 16 February 1904. He married, 28 September 1853, Frances Dora, daughter of Oswald Smith, Esq. of Blendon Hall, Kent, and had issue :—

1. CLAUDE GEORGE, now Earl of Strathmore and Kinghorne.
2. *Francis*, of Ridley Hall, Carlisle, Hetton Hall, co. Durham, and Norton Manor, Somersetshire. Born 23 February 1856. J.P. and D.L. for the counties of Forfar and Northumberland. Late colonel commanding 2nd Volunteer Battalion Black Watch. Married, 22 November 1883, Lady Anne Catherine Sybil Lindsay, fifth daughter of the twenty-fifth Earl of Crawford and Balcarres, and has issue :—

    (1) *Charles Lindsay Claude*, born 16 September 1885; lieutenant 3rd Battalion Black Watch.
    (2) *Geoffrey Francis*, born 30 September 1886; lieutenant 1st Battalion Black Watch.
    (3) *Ronald George*, born 27 June 1893; cadet R.N.
    (4) *Muriel Frances Margaret*, born 29 September 1884.
    (5) *Dora Cicely*, born 16 December 1887.
    (6) *Winifred Geraldine*, born 18 December 1889.
    (7) *Lilian Helen*, born 22 December 1895.

3. *Ernest*, born 4 August 1858; second Secretary H.M. Diplomatic Service; married, 23 August 1882, Issobel Hester, daughter of Harvey Drummond of Iping, co. Essex, and died 27 December 1891, leaving issue :—

    (1) *Hubert Ernest*, Villa Etelinde, Dorney, Bucks. Born 6 October 1883; married, 14 January 1905, Mary Agnes, daughter of James Hay Smeaton.
    (2) *Susan Frances*, born 25 October 1884; drowned by the wreck of the steamship *Sidon*, off Corunna, 28 October 1885.
    (3) *Dorothea Marion*, born 12 April; died 10 July 1886.
    (4) *Joan Issobel Margaret*, born 30 April 1888; married, 24 June

1909, to Alfred Ernest Parker, 10th Royal Hussars, youngest son of the late Alfred Traill Parker, of Aigburth, Lancashire.

(5) *Marjorie Effie*, born 6 July 1889; married, 20 April 1909, to Captain Douglas Walkden Roberts, R.A., son of the late John M. Roberts of Bath.

(6) *Ernestine Hester Maud*, born 19 December 1891; married, 23 November 1910, to Francis Winstone Scott, son of Walter Scott of Mostyn, Tadworth.

4. *Herbert*, B.A.; born 15 August 1860; advocate, 1886; D.L. for Forfarshire; died, unmarried, 14 April 1897.
5. *Patrick*, of Skeynes, Edenbridge, Kent; born 5 March 1863; Barrister-at-law; late lieutenant R.N.; D.L. for Forfarshire; married, 9 August 1893, Alice Wiltshire, ward of Captain Arthur Lister Kaye, of Manor House, Stretton-on-Dunmore, and has issue:—

   (1) *Gavin Patrick*, born 13 December 1895.
   (2) *Angus Patrick*, born 22 October 1899.
   (3) *Jean Barbara*, born 9 October 1904.
   (4) *Margaret Anne*, born 19 June 1907.

6. *Kenneth*, born 26 April 1867; died January 1911.
7. *Malcolm*, born 23 April 1874; captain late 2nd Life Guards; served in South African War 1902. Married, 28 September 1907, Winifred, daughter of Hector John Gordon-Rebow, D.L., late of Wyvenhoe Park, Essex, and has issue:—

   Clodagh Pamela, born 15 July 1908.

8. *Constance Frances*, born 8 October 1865; married, 21 December 1893, to Robert L. Blackburn, Esq., Advocate, and has issue.
9. *Mildred Marion*, born 6 October 1868; married, 1 July 1890, to Alfred E. Jessup of Torquay, and died 9 June 1897, leaving issue.
10. *Maud Agnes*, born 12 June 1870.
11. *Evelyn Mary*, born 16 July 1872; died 15 March 1876.

XXII. Claude George, fourteenth Earl of Strathmore and Kinghorne, and twenty-second Lord Glamis. Born 14 March 1855; lieutenant 2nd Life Guards 11 September 1876; resigned 7 January 1882; Lord-Lieutenant of the county of Forfar; Deputy Lieutenant of the county of the city of Dundee; J.P. for Herts; hon. colonel 5th

Battalion Black Watch. Married, 16 July 1881, at Petersham, Surrey, Nina Cecilia, born 11 September 1862, daughter of the late Rev. Charles William Frederick Cavendish-Bentinck, grandson of William Henry, third Duke of Portland, and has issue:—

1. Patrick, Lord Glamis, born 22 September 1884; sub-lieutenant Scots Guards 2 March 1904; lieutenant 13 April 1905; resigned 7 August 1909; major 5th Battalion Black Watch; married, 21 November 1908 Lady Dorothea Beatrice, third daughter of George, tenth Duke of Leeds, and has issue:—

   Hon. Patrick John, Master of Glamis, born 1 January 1910.

2. *John Herbert*, born 1 April 1886.
3. *Alexander Francis*, born 14 April 1887.
4. *Fergus*, born 18 April 1889, lieutenant 2nd Battalion Black Watch.
5. *Michael Claud Hamilton*, born 1 October 1893.
6. *David*, born 2 May 1902.
7. *Violet Hyacinth*, born 17 April 1882; died 17 October 1893.
8. *Mary Francis*, born 30 August 1883; married, 14 July 1910, to Sidney, sixteenth Lord Elphinstone.
9. *Rose Constance*, born 6 May 1890.
10. *Elizabeth Angela Marguerite*, born 4 August 1900.

Creations.—Lord Glammis 23 June 1445; Earl of Kinghorne, Lord Lyon and Glamis, 10 July 1606; Earl of Strathmore and Kinghorne, Viscount Lyon, Lord Glammis, Tannadyce, Sidlaw, and Stradichtie, 1 July 1677, in the Peerage of Scotland. Baron Bowes of Streatlam Castle, co. Durham, and of Lunedale, co. York, 7 August 1815 (extinct); Baron Bowes of Streatlam Castle, co. Durham, and of Lunedale, co. York, 1 July 1887, in the Peerage of the United Kingdom.

Arms (recorded in the Lyon Register).—Argent, a lion rampant azure, armed and langued gules, within a double tressure flory counterflory of the second.[1]

[1] The Earl now apparently bears this coat quarterly with that of Bowes: Ermine, three bows, strings palewise proper.

Crest.—A lady from the middle, richly attired, holding in her dexter hand a thistle, all within a garland of bay leaves, proper.[1]

Supporters.—Dexter, a unicorn argent, armed and unguled or. Sinister, a lion rampant parted per fess or and gules.

Motto.—*In te, Domine, speravi.*

[A. R.]

[1] The crest has been subject to considerable variation. The seal of the first Lord Glamis bears the half-length figure of a lady between two short-sleeved arms issuing from the wreath, embowed and raised above her head. The seventh Lord bore for crest a lion salient contourné.

SUTHERLAND, EARL OF SUTHERLAND

SUTHERLAND, or Sudrland, was so termed because it was the southerly portion of the original earldom of Caithness, which comprehended the two modern counties of Caithness and Sutherland. The latter was that territory which lay south of the great chain of hills running across from the Hill of Ord to Forsinard and thence westward to Suilven in Assynt. It included the parishes of Dornoch, Creich, Golspie, Rogart, Clyne, and Loth, with part of Kildonan and Lairg, but excluding Assynt, Edderachillis, Durness, and Strathnaver or Farr. The district thus known as Sudrland was at an early period under the sway of the Norse Earls, who also held Caithness, Ross, and Moray. The last of these who held the district was Earl Thorfinn, from 1014 to 1056, but before his death the power of the Kings of Scotland was beginning to make itself felt in Sutherland. It was in the time of Harald Maddadson, however, that King David I., between 1146 and 1153, was able to grant lands near Dornoch to Andrew, the first recorded Bishop of Caithness, and thus lay the foundations of a more civilised policy. Between 1203 and 1211 there is evidence that a large

Sutherland

portion of the ancient 'Sudrland' had passed into possession of the family who have held the territory ever since in direct lineal succession.[1] Their first recorded ancestor was

FRESKIN, a person of unknown descent, but who is believed to be of Flemish origin, upon whom King David I., in pursuance, it is said, of a colonising policy, bestowed wide landed possessions. These included Strabrock (Uphall and Broxburn), in West Lothian, and the lands of Duffus, Roseisle, Inchkeil, Macher, and Kintray, forming the larger part of the parish of Duffus and a portion of the modern parish of Spynie, between Elgin and the Moray Firth. At least Freskin is said to have held these lands of King David I., for Freskin himself is named only once, in a charter granted to his son William, between 1166 and 1171, by King William the Lion, which confirms the lands named as having been held by Freskin.[2] Freskin therefore must have died before 1166. According to the editor of the *Registrum Moraviense*, followed by Sir William Fraser in his *Sutherland Book*, he had three sons, *Hugh*, who was the ancestor of the Sutherland family, *William* of Duffus, and *Andrew*, a churchman. But *Hugh*, son of Freskin, is only named once, in a writ dated between 1147 and 1150, and that in such circumstances as to make the evidence untrustworthy,[3] while *Andrew* is clearly identical with a namesake of a later date. The weight of testimony rather points to the probability that Freskin had only one son, a view already adopted by Lord Hailes and George Chalmers.[4]

[1] *Sutherland Book*, iii. 1. [2] The original charter was formerly in the possession of Katherine Stewart, Lady Cardross, and was seen by Nisbet. Its present custody is not certain, but a copy exists in a MS. 'Cartæ Variæ,' belonging to the Society of Antiquaries. The witnesses were David, the King's brother, Andrew, Bishop of Caithness, Felix, Bishop of Moray, Matthew, Archdeacon of St. Andrews, Earl Waldeve, Earl Duncan, Richard Morville, constable, Ness son of William, Richard Cumin, Gilbert son of Richerius, William Vetere Ponte, William Lyndsay, Henry Luvel, John de Vallibus, William Hay, Walter Berklai, Richard the clerk. Earl Waldeve succeeded in 1166, and Felix, Bishop of Moray, died in 1171. [3] Cf. *Early Scottish Charters*, by Sir Arch. C. Lawrie, 186, 430, where the objections to the writ are stated. [4] Mr. Innes, in a note (*Registrum Moraviense*, Pref. xxxii), would have preferred this view, but found what he thought was evidence of two sons, Hugh, son of Freskin, and William, son of Freskin, in a charter in Shaw's *Moray*, 1st ed., 406. But the charter is of date 1196, and Shaw's copy is

Shaw, in his *History of Moray*, also assigns to Freskin only one son,

William, son of Freskin, who under that designation appears on record first as a witness to a charter granted at Perth by King Malcolm iv. in 1160 to Berowald the Fleming of the lands of Innes, in Morayshire.[1] Between 1166 and 1171 he had the grant, already cited, of his father's lands of Duffus, etc. He witnessed a number of royal charters, chiefly those granted at Elgin or elsewhere in his own neighbourhood, though he is also found further afield.[2] He seems to have survived the year 1204, if he were the William Fresekyn who was Sheriff of Invernaryn in that year.[3] He had issue:—

1. Hugh, who became ancestor of the family of Sutherland.
2. *William*, known as William, son of William, son of Freskin. He and his brother Hugh frequently appear together as witnesses after 1195.[4] He also, about 1200 or later, assumed the sirname 'de Moravia,' and in a charter about that date refers to Hugh as 'his lord and brother,' which proves the latter's seniority.[5] He was lord of Petty and Bracholy, Boharm and Arteldol, and died before 1226. He is believed to be the ancestor of the Morays of Bothwell.
3. *Andrew*, described in a writ of date before 1203 as son of William, son of Freskin, and parson of Duffus.[6] He is also described in a later writ by Hugh Freskin as brother to him and William.[7] He is named in 1221, but it is not certain that he was then alive.[8]

Hugh, son of William, son of Freskin, styled also Hugh

incomplete—the names being really Hugh, son of William Freskin, and William, also son of William, of a later generation. (This copy is preserved in a French ms. Cal. of Docs., France, 491.) It therefore does not conflict with, but rather supports the theory in the text. Mr. George Chalmers also gives two sons to Freskin, but his only authority for Hugh is the doubtful charter cited above. [1] *The Familie of Innes*, 2, 51, 52. [2] *Reg. Moraviense*, Nos. 5, 9, 11, 12, 13, 14; cf. *Reg. de Aberbrothoc*, i. 62, 63. [3] *Acta Parl. Scot.*, i. 118. [4] *Reg. Mag. Sig.*, 16 August 1464; Cal. Docs. France, 491; *Reg. Moraviense, passim*. [5] *Reg. Mag. Sig.*, 5 August 1452. [6] *Reg. Moraviense*, No. 119. [7] Sir W. Fraser's *Sutherland Book*, iii. 1. [8] *Reg. Moraviense*, 456.

Freskin and Hugh de Moravia, appears under the first designation in various charters from 1195, frequently along with his brother William, who also in a charter about 1200, already cited, styles him lord and brother. He inherited the lands of Duffus and Strabrock, and Brice, Bishop of Moray, granted to him, as Lord of Duffus (between 1203 and 1214), a free chapel in his castle of Duffus.[1] Some time before 1211 he had acquired, by grant or otherwise, a large tract of land in Sutherland. How extensive that was does not appear, but it included Skelbo, in Dornoch parish, on one side, and the greater portion of Creich parish on the other, and perhaps was identical with the later earldom. In any case he granted Skelbo, and the lands of Invershin and Fernebucklyn to Gilbert de Moravia, Archdeacon of Moray, who afterwards gave them to his own brother Richard. Hugh Freskin died possibly before 1214, but certainly before 1222, at which date his son William had succeeded, and he was buried in the church of Duffus. He is called, perhaps on account of his benefactions to the Church, the blessed Hugh, and seems to have been honoured with canonisation. The name of his wife is not known, but he had three sons:—

1. William, son and heir, who became Lord and Earl of Sutherland.
2. *Walter*, who succeeded to the lands of Duffus, and married Euphemia, daughter of Ferquhard, Earl of Ross. He died about 1263, and was buried at Duffus. His line ended in two heiresses, and his estates finally passed to the Keiths of Inverugie and Sutherlands of Duffus.
3. *Andrew*, designed son of Hugh de Moravia in the charter already cited, of the chaplainry of Duffus, between 1203 and 1214. He was then parson of Duffus, and in 1222 he was elected Bishop of Moray. In his time the cathedral of Moray was removed to Elgin, and he may have built, or at least commenced the erection of, the cathedral church. He died in 1242.

I. William, son of the preceding, describes himself after

[1] *Reg. Moraviense*, No. 211.

his father's death as Lord of Sutherland, son and heir of the late Hugh Freskin. He was therefore the eldest son, and took the largest share of his father's possessions. He confirmed his father's charter of Skelbo and the other lands to Archdeacon Gilbert, at some date between 1211 and 1222.[1] It is apparently he who is a witness in 1226 and 1229 as William de Moravia and William de Moravia, Knight.[2] In September 1232 he appears as William of Sutherland.[3] This would agree with the suggestion that he was not created EARL OF SUTHERLAND until 1235, though as to the true date of creation there is no evidence whatever, but that he was Earl is proved by a later writ. Sir Robert Gordon, in his history of the family, states that this Earl William, of whom there is almost no notice in public record, was a great help to Gilbert, Bishop of Caithness, in the building of the cathedral of Dornoch and in the erection of canonries by appointing them lands and tithes to the Earl's 'great cost and charges.'[4] This is corroborated by Bishop Gilbert's arrangement of the diocese, still preserved at Dunrobin Castle. It is not dated, but was drawn up probably not long after 1222. The Bishop states that hitherto, owing to the poverty of the place, and because of frequent hostile commotion, only a single priest had ministered in the church of Dornoch. He now proposed to build a cathedral there at his own expense, and he appointed ten canons, and for their maintenance and his own he set apart twenty parish churches, with their emoluments. It is quite clear he would have been unable to do this without encouragement and aid from the Earl. He and the Bishop, however, before the latter's death in 1245, had a dispute as to some lands. The merits of the quarrel are unknown, but it was not finally settled for many years afterwards. Sir Robert Gordon describes this Earl as taking part in an encounter with a marauding band of Norsemen, who were defeated at Embo, and driven back to their ships, the Earl's kinsman Richard Moray being killed in the fray. But the story is doubtful, as Sir Richard Moray survived the Earl, and the tradition seems rather to refer to an incident of

[1] *Sutherland Book*, iii. 2, 3. [2] *Reg. Moraviense*, 81, 26. [3] *Ibid.*, 89. This seems to show that this branch of the Moravias was beginning to adopt their surname from their new territory. [4] *Genealogy of the Earls of Sutherland*, 33.

the year 1263. The first Earl is said to have died in 1248, and was buried in the south aisle of the cathedral of Dornoch.[1] He was succeeded by his son,

II. William, second Earl of Sutherland, who is said to have been quite a youth at his father's death. He appears in the *Exchequer Rolls* of 1263 and 1266, when £20 in each year was paid as part of the fine due to the King, and at a later date the sum of £15 was exigible from the earldom of Sutherland every seven years.[2] In 1269 the Earl appears as a witness to a charter by William, Earl of Ross, at Nairn, granting lands to the church of Moray.[3] On 22 September 1275 the Earl, yielding to the advice of friends, made a final agreement with the then Bishop of Caithness in regard to certain lands which had been in dispute between Bishop Gilbert and the first Earl. An amicable arrangement was now made, both parties yielding somewhat, and signed in the cathedral of Dornoch.[4] Except appearing as a witness to charters, one of which indicates that he held lands in Aberdeenshire,[5] the Earl is little heard of until, in February 1283-84, he attended the Parliament at Scone which accepted the infant Margaret of Norway as Queen of Scotland failing direct issue of King Alexander III. or his lately deceased son.[6] The Earl also took his share in public affairs after King Alexander's death, and in the interregnum which followed, rather inclined to the English party, though he was one of the supporters of the claims of Bruce to the vacant throne. For the most part, however, he remained in his own country, though he signed the homage roll at Berwick on 28 August 1296. After this he adhered faithfully to the English King, and in 1306 was still his partisan, and died in that allegiance between April 1306 and September 1307.[7] He had issue two sons:—

1. William, third Earl of Sutherland.
2. Kenneth, fourth Earl of Sutherland.

III. William, third Earl of Sutherland,[8] who succeeded

[1] *Genealogy of the Earls of Sutherland*, 32, 33. [2] *Exch. Rolls*, i. 13, 19, 570. [3] *Reg. Moraviense*, 278, 279. [4] The agreement is much too long to be quoted fully here, but will be found at length in the *Sutherland Book*, iii. 7-9; cf. i. 16. [5] *Reg. Moraviense*, 462. [6] *Acta Parl. Scot.*, i. 424. [7] *Sutherland Book*, i. 20, 21, and authorities cited. [8] Sir Robert Gordon in his history omits this Earl altogether, adding his life to that of his father.

in 1306 or 1307, was a minor at his father's death, and his ward was granted to John, younger son of the Earl of Ross. The Earl of Ross wrote begging King Edward II. of England to empower him and his son to receive the fealty of the young heir, and to uplift certain duties from his earldom to defray the cost of its defence.[1] This was apparently written in April or May of 1308, and King Robert Bruce was then threatening the borders of Ross, Sutherland, and Caithness with a devastation similar to that inflicted on Buchan, and as the English King could send no aid, the Earl of Ross submitted to Bruce at Auldearn on 31 October 1308.[2] The King, among other lands, bestowed on his new vassal the lands of Ferncrosky, which had belonged to the Earl of Sutherland, but which were probably given to Ross as an equivalent for the wardship. The young Earl himself was present at a Parliament held at St. Andrews on 16 March 1308-9, having probably attained his majority in the interval.[3] Little more is recorded about him, though Sir Robert Gordon says he fought at Bannockburn, but he was one of those nobles who addressed the letter to Pope John XXII. on 6 April 1320.[4] Sir Robert Gordon asserts that this Earl was with King Robert at the battle of Biland on 14 October 1322, but no other chronicler supports the statement.[5] The date of the Earl's death is not certain. He is said to have died in 1325, but it may be he who was guardian of the bishopric of Caithness in 1327.[6] He was, however, dead before December 1330, when his brother was Earl.

IV. KENNETH, fourth Earl of Sutherland, succeeded his brother some time before December 1330, but his tenure of the earldom was very brief. His career is unrecorded. almost the only public notice of him being the fact that he was one of the leaders of the reserve of the Scottish army at the battle of Halidon Hill 19 July 1333. There it is said he fought valiantly, and he and his fellow-commander, the Earl of Ross, were killed while leading their men against that wing of the English army in which was Edward Baliol. Earl Kenneth, according to Sir Robert Gordon,

[1] *Sutherland Book*, iii. 10. [2] *Acta Parl. Scot.*, i. 477. [3] *Ibid.*, 459. [4] *Ibid.*, 474. [5] *Genealogy*. [6] *Exch. Rolls*, i. 114.

married 'Mary,' daughter of Donald, Earl of Mar, who may be identical with the Marjorie of Mar who was widow of John of Strathbogie, Earl of Mar, who died 7 November 1306. (*See titles* Atholl and Mar.) He had issue:—

1. William, fifth Earl of Sutherland.
2. *Nicolas* Sutherland, the surname being now fully adopted,[1] ancestor of the Sutherlands, Lords Duffus. (*See that title* for a more detailed notice.)
3. *Eustachia*, married, about December 1330, to Gilbert Moray, son and heir of Reginald Moray of Culbin. On 6 December of that year Earl Kenneth resigned all rights and exactions he might claim from Reginald's lands within the earldom, and he made over to Reginald the relief duty of his lands on account of a marriage between their children.[2] Gilbert and Eustachia had issue, and their line ended in an heiress, Egidia Moray, married to Thomas Kinnaird,[3] who died before 7 May 1440.

V. William, fifth Earl of Sutherland succeeded his father on 19 July 1333, and was probably then of age. There is no evidence of his wardship, and he almost immediately took an active part in public life. Sir Robert Gordon asserts that the young Earl took part in the battle of Kilblene, when David, Earl of Atholl, was slain, but there is no corroboration of this. From an English chronicle, however, it appears that he was a leader of the Scottish force which besieged the castle of Cupar-Fife, then held by the English. The Scots, however, were put to flight by the activity and strategy of Sir John Stirling, Governor of Edinburgh Castle.[4] In 1340 he took part, with the Earl of March, in a foray into England, and though, on their way home, they were intercepted by an English force under Sir Thomas Grey, and worsted, they did much damage, so that four years later a large part of Northumberland was still unprofitable.[5]

[1] Cf. *Sutherland Book*, iii. 18; Robertson's *Index*, 43. [2] *Sutherland Book*, iii. 11, 12. [3] Cf. vol. v. of this work, 204. [4] *Chron. de Lanercost*, 385; *Cal. Doc. Scot.*, iii. 354. [5] *Ibid.*, 262; *Scalacronica*, by Sir Herbert Maxwell, 112.

In 1343, or between December 1342 and September 1345, the Earl married Margaret, sister of King David Bruce, and that King conferred upon him in rapid succession considerable grants of land. On 28 September 1345 the spouses had a grant in free marriage of the thanage of Downie, co. Forfar, also of the thanage of Kincardine, with castle, etc., the thanage of Fettercairn, and the thanage of Aberluthnot, all in Kincardineshire, and the half of the thanages of Fermartine and Kintore in the sheriffdom of Aberdeen.[1] This was followed, on 10 October 1345, by the erection of the earldom of Sutherland into a regality.[2] On 4 November 1345 the King added the whole barony of Cluny in Aberdeenshire,[3] and on 30 March 1346 the Earl and his wife received a grant of the King's rock or crag of Dunottar, co. Kincardine, with licence to build a fortalice thereon.[4] In 1346 the Earl accompanied his royal brother-in-law to England on the expedition which ended so ignominiously at Neville's Cross. Froissart speaks of him under the name of the Earl of Orkney, as being the first to join the King, with 'many men-at-arms.'[5] He is said to have been taken prisoner, but if so, his name does not occur in any list of captives. He seems to have occupied himself in the interval with his private affairs, but his next appearance in public life is in June 1351, when he had a safe-conduct to Newcastle to confer on the subject of King David's ransom.[6] In September of that year his infant son and heir was given as a hostage for King David on the latter's return to Scotland for a few months. In 1357 the Earl himself, with his eldest son, was a hostage for the payment of the King's ransom, and remained in England for more than ten years, visiting Scotland at intervals, marked by the granting of various charters to relatives and others.[7] On 28 February 1358-59 King David granted to the Earl and his son John the barony and castle of Urquhart, co. Inverness, which is said to have been in exchange for the thanages in Kincardineshire formerly granted, but the earlier

[1] *Sutherland Book*, iii. 12-14; the charter also provided that if Margaret's elder sister Matilda survived her she should have right to the other half of Fermartine and Kintore. [2] *Ibid.*, iii. 14. [3] *Ibid.*, 14, 15. [4] *Ibid.*, 15, 16. [5] Froissart, ed. 1842, i. 98. [6] *Fœdera*, Rec. ed., iii. 225. [7] *Sutherland Book*, i. 35.

charter was repeated in 1360.[1] On 30 July 1366 the King renewed to the Earl the grant of the half thanage of Fermartine.[2] Between 1360 and 1365 the Earl also received various sums from Exchequer in addition to £80 paid by the King towards his expenses in England.[3] The Earl is said by Sir Robert Gordon to have died in 1370, and this is probably correct. He was alive on 27 February 1369-70, when he still held the frank-tenement of the thanage of Kincardine and others, the reversion of which was then granted to Sir Walter Leslie, afterwards Earl of Ross; but in June 1371, the barony of Urquhart was in the hands of the Crown, and the Earl was probably then dead.[4] It has been stated that he was concerned in the murder of Iye Mackay and his son Donald in 1370, and that his own death was the result of revenge.[5]

The fifth Earl married, first, as already indicated, the Princess Margaret Bruce, youngest daughter of King Robert Bruce by his second wife Elizabeth de Burgh, and sister of King David Bruce. They had a dispensation on 1 December 1342, as they were in the fourth degree of consanguinity, but in a papal indulgence granted to her on 6 November 1343, a year later, she is styled sister of the King of Scots, and not Countess of Sutherland.[6] Indeed, if the evidence of charters be taken, their marriage did not take place till 1345. The Princess is said to have died at the birth of her only son, and this seems probable. She was alive on 30 March 1346, but she was dead, and her husband had married again before November 1347. The Earl married, secondly, Joanna Menteith, widow successively of Malise, seventh Earl of Strathearn, John Campbell, Earl of Atholl, and Maurice Moray, Earl of Strathearn. (*See these titles.*) The Earl and his second wife had a dispensation, of date 9 November 1347, on the following grounds. They petitioned that Joanna had been married to John, Earl of Atholl, and Maurice Moray. That after the death of the latter, Earl William and she, ignorant

[1] *Sutherland Book*, iii. 17. [2] *Ibid.* [3] *Exch. Rolls*, ii. per Index. [4] *Reg. Mag. Sig.*, 71, 85. The Earl's seal attached to the ratification of the treaty of 1357 shows on a shield, surrounded with tracery, three stars, two and one, the cognisance of the De Moravia family (*Cal. Doc. Scot.*, iii. No. 1660). [5] *The Book of Mackay*, by A. Mackay, 44-47, 52. [6] Additional MSS. British Museum, 15,371, f. 125.

that any impediment existed between them which should hinder their marriage, contracted matrimony *per verba de presenti*; but they afterwards learned that they were related doubly in the fourth degree of affinity, because William, John, and Maurice were related in the fourth degree of consanguinity, in consequence of which William and Joanna could not, without a dispensation, remain in marriage. They therefore petitioned accordingly.[1] This shows that they had been married for some time before November 1347, so that the Princess Margaret had died not long after 30 March 1346. Countess Joanna in writs granted by herself always styles herself as of Strathearn and a widow, but in writs by others, especially safe-conducts to England, she is styled Countess of Sutherland, the latest of these being dated in March 1366-67.[2] It is not known when she died.

By his first wife the Earl had issue one son:—

1. JOHN, who as stated, was sent to England as a hostage when he was very young, and he died there of the plague in 1361. Sir Robert Gordon erroneously states that the Earl's son and heir *Alexander* was the hostage, and died in England, and that John carried on the line of the family. But Fordun, a contemporary, says positively that the Princess Margaret had only one son, John, and Wyntoun repeats the statement.[3] Fordun adds that his mother died immediately after his birth. His death, according to Bower, took place at Lincoln about 8 September 1361.[4]

By his second wife the Earl had

2. ROBERT, who became Earl of Sutherland.
3. *Kenneth*, who received, in 1401, a charter from his brother Earl Robert of the lands of Drummoy, Backies and others, confirmed by the Duke of Albany, Regent, in 1408.[5] Lord Hailes also quotes from the Forse charters a writ to Kenneth Sutherland, son of the late William, Earl of Sutherland. He was ancestor of the family of Sutherland of Forse,

[1] *Regesta Vaticana*, vol. 184, f. 116. [2] *Rotuli Scotiæ*, i. 911. [3] Fordun, ed. 1871, i. 318; Wyntoun's *Cronykil*, Laing's ed. [4] Fordun *à* Goodall, ii. 366. [5] *Sutherland Book*, iii. 22.

and his descendant in 1766, Mr. George Sutherland of Forse, laid claim to the earldom of Sutherland as heir-male. This will be again referred to on a later page.[1]

A William de Murriff or Moravia is named, in 1367, in a safe-conduct by King Edward III. as a son of William, Earl of Sutherland. He may have been a natural son of this or a previous Earl William.

VI. ROBERT, sixth Earl of Sutherland, was Earl in 1389, and contrary to Sir Robert Gordon's account, who makes John succeed to his father William and a mythical Earl Nicholas to John, followed by Robert, the latter was really the son of William[2] and his successor. His accession in or before 1389 is proved by his presence as Earl at the pronouncing of the decree against Alexander Stewart, Earl of Buchan, by the Bishops of Moray and Ross, on 2 November 1389.[3] It is possible that he was Earl in or soon after 1370, and that it is he who figures in the pages of Froissart as taking part in the welcome to the French knights in 1384 and to Sir John de Vienne and his company in the following year.[4] But he is not named among those nobles who received shares of the 40,000 gold francs sent from France.[5] The Earl of Sutherland also, according to Froissart, was a leader in the Scottish force which invaded the west of England in 1388.[6] On 2 November 1389, he was, as already stated, a witness to the consistorial decree pronounced against Alexander, Earl of Buchan, and he was also named by the Earl as one of his sureties for fulfilment of the decree. He was then, or became soon after, the Earl's son-in-law. On 22 January 1400-1 he granted to his brother Kenneth the lands of Drummoy, and others, with certain conditions as to services to the neighbouring mills and as

[1] *Sutherland Book*, iii. 36, 37. [2] That Robert was the son of Earl William is indirectly proved by the charter to his brother Kenneth of 1408, already cited. There has been much confusion as to the succession of the Earls at this point (cf. *Origines Parochiales*, ii. 660 *n.*), and even the *Complete Peerage* inserts another Earl William before Robert; but there seems no good reason for this. The account in the text has been adopted as having most probability and as being best vouched for. [3] *Reg. Moraviense*, 353, 354. Sir Robert Gordon makes his Earl John die in 1389, and this *may* have been the year of Earl William's death, but there is no record of him after 1370. [4] Froissart, Johne's ed., ii. 48. [5] Rymer's *Fœdera*, vii. 485. [6] Froissart *ut cit.*, ii. 362-364. Froissart styles the Earl John.

to fishings.[1] This writ contains the earliest reference to the castle of Dunrobin, where it is said to be granted, and it was probably used as a residence by Earl Robert; and it may have been he from whom it took its name, though a building may have stood on the site from a very early period.[2] The later history of Earl Robert was apparently uneventful. He is said to have died in 1442, though he may have deceased before 1427, when the 'Earl of Sutherland' went to England in place of the eldest son of the Earl of March,[3] and it is probable it was his son who went. He married Margaret Stewart, daughter of Alexander, Earl of Buchan,[4] and had issue:—

1. John, seventh Earl of Sutherland.

Sir Robert Gordon asserts that the Earl had two other sons, *Robert* and *Alexander*, but the statements made regarding them cannot be verified, and it is possible they may have been placed in the wrong generation.

VII. John, seventh Earl of Sutherland, is first named as taking part, as one of the retinue of his uncle Alexander Stewart, Earl of Mar, in the latter's campaign in Flanders about 1408. Wyntoun, a contemporary, tells how the Earl, before an expected battle, knighted some of his esquires, one of these being John of Sutherland 'his newew, a lord apperand of vertew, Heretabil Erl of that countrè.'[5] The young knight fought bravely, and the cause the Earl favoured was victorious. Nothing further is recorded of him until 1427, when it was probably he who went to England as one of the hostages for King James I. He remained in England for many years, being confined in Pontefract Castle, where there were many other Scots hostages. While there, on 12 July 1444, he granted to his kinsman, Alexander Sutherland of Duffus, a charter confirming the lands of Torboll.[6] On 3 February 1444-45 a

[1] Charter cited at length *Origines Parochiales*, ii. 673, from Forse charters. Date given by Lord Hailes, Supp. Case, 12 *n.* [2] *Orig. Parochiales*, ii. 681. [3] *Cal. Doc. Scot.*, iv. 1010. [4] Earl Robert is usually said to have married Mabilla or Mabel, alleged daughter of John Dunbar, Earl of Moray, but there is no evidence of such a person, and Wyntoun (in a passage cited below) implies that he married a daughter of Alexander, Earl of Buchan, who had only one named Margaret. [5] Wyntoun, Laing's ed., iii. 112. [6] *Sutherland Book*, iii. 25.

safe-conduct was issued to Margaret Sutherland, Alexander and Robert Sutherland, probably the Earl's wife and children, for a year, to pass between England and Scotland.[1] He must have been liberated not very long after, as he was at Dunrobin Castle in May 1448, when he presented a chaplain to the chapel of St. Andrew at Golspie.[2] On 29 April 1451 he and his wife Margaret received a crown charter of Crakaig, Easter and Wester Loth, and other lands in the parish of Loth.[3] These lands were reserved for liferent use to himself and his Countess when he resigned his earldom into the hands of King James II. in favour of his son John, who was infeft in the lands in his father's lifetime. This Earl is said by Sir Robert Gordon to have died in 1460, and to have been buried in the chapel of St. Andrew at Golspie. He married Margaret Baillie, perhaps a daughter or sister of one of the Earl's fellow-hostages at Pontefract, Sir William Baillie of Hoprig and Lamington. She is said to have been a woman of great beauty. She survived the Earl, and, contrary to what Sir Robert Gordon asserts, appears to have remained a widow.[4] She was alive on 30 April 1509, but died before Whitsunday of 1510.[5]

Earl John had issue:—

1. *Alexander*, Master of Sutherland, who is named as such in a charter by Alexander, Earl of Ross, granted at Inverness 10 October 1444. It is apparently he who is named in the safe-conduct of 3 February 1444-45, already cited, but he must have died before February 1455-56, when his father resigned the earldom to his brother John.[6]
2. JOHN, who became eighth Earl of Sutherland.
3. *Nicolas*, named by the Earl in a charter of May 1448 as his son.[7]
4. *Thomas*, known as Thomas Beg (*i.e.* little), of whom nothing has been found except in the pages of Sir

[1] *Cal. Doc. Scot.*, iv. No. 1175. [2] *Sutherland Book*, iii. 25, 26. [3] *Reg. Mag. Sig.* [4] Sir Robert (p. 80) states that she married, secondly, Alexander Dunbar, brother of Sir James Dunbar of Cumnock, but he really married her daughter Janet. No evidence of a second marriage by Margaret Baillie has been discovered. [5] *Exch. Rolls*, xiii. 267, 268. [6] *Sutherland Book*, iii. 28-32. [7] *Ibid.*, 26, 27.

Robert Gordon, who states that he was the ancestor of a family of Sutherland in Strathullie.[1]

5. *Robert*, named in the above safe-conduct of 3 February 1444-45, may have been a son, and not improbably he was the Robert Sutherland who, according to Sir Robert Gordon, took part in the battle of Aldycharrish. Sir Robert says he was an uncle of the Earl, but if he were he must have been of great age in 1487, the alleged date of the conflict.
6. *Janet*, said by Sir Robert Gordon to be the eldest, but apparently the only daughter of the Earl,[2] was married, it is said, in 1480, to Alexander Dunbar,[3] third son of Sir Alexander Dunbar of Westfield, and brother of Sir James Dunbar of Cumnock and of Gavin Dunbar, Bishop of Aberdeen. Alexander Dunbar had the lands of Altcash, Kilcolmkill, and others. He was murdered between 25 and 31 March 1498, by Alexander Sutherland of Daldred or Dirlot, who was executed for the crime. His wife survived till 1511 or 1512,[4] when her terce was paid to her, but nothing is known of her after that date. She was, by Alexander Dunbar, mother of James Dunbar of Conze, and the ancestress of the Dunbars of Kilbuiac, Mochrum, Asleisk, Northfield and others.

The Earl had also, it is said, a natural son, known as *Thomas* Mor, who had issue two sons, who were killed by their uncle Earl John.

VIII. JOHN, eighth Earl of Sutherland, who was the second, but eldest surviving, son of the seventh Earl, is first mentioned in the resignation made in his favour by his father on 22 February 1455-56. Pursuant to this John Sutherland was secured in the earldom by the usual forms, under reservation of the liferent of certain lands to his father and mother. The life of this Earl was not very eventful. His record consists chiefly of charters received

[1] *Genealogy*. [2] Muriel Sutherland, wife of Alexander Seton of Meldrum, is said to have been a younger daughter of this Earl, but she seems to have been a daughter of Alexander Sutherland of Duffus and Muriel his wife (*see that title*). [3] *The Sutherland Book*, i. 60, 61, denies the existence of this Alexander, and is otherwise erroneous in treating of Janet Sutherland. [4] *Exch. Rolls*, xiii. 448.

and charters granted by him, while he was also frequently involved in litigation.[1] Sir Robert Gordon charges the Earl with unkindness to his mother, and with ruthless cruelty towards some of his own relatives, but he says nothing about the probable cause of these and other shortcomings, namely the Earl's mental weakness. A brieve of idiotry was issued by King James IV. in 1494,[2] and after the usual proceedings the Earl was, by a jury, declared incapable of managing his own affairs, and he was placed under the care of a tutor, Sir James Dunbar of Cumnock. The latter was directed by the Lords of Council on 9 February 1497-98 to convoy the Earl and his son to the presence of King James IV., where they were to be delivered to the King, doubtless as the legal custodier of the Earl in his unfortunate condition, and of his son the heir. Sir James was to provide the expenses of the journey, and the Earl and his son were to be brought in freedom honourably to the King 'that he may consider and provide how they may be rulit according to their estate effering to their living.'[3] About the same time Alexander Sutherland of Dirlot had spoiled 'Dunrobin,' carrying off a quantity of household furniture and grain, which he and his accomplices were ordered to pay to Sir James Dunbar, the Earl's curator.[4] But although the Earl's affairs were administered by a curator he seems to have been held responsible for his actions. On 15 November 1501, decision was given in two actions raised against him for spoliation. In the first of these Kinnaird of Skelbo complained against the Earl for spoliation and withholding the rents of the lands of Doll and Terrell. The defence was that they were the Earl's own heritage, and he was assigned a date on which to produce writs before the Justice Air at Elgin.[5] In the second case the complainers were his own sister Janet, widow of Alexander Dunbar of Kilcolmkill, and James Dunbar her son, who charged the Earl with taking up the rents of Kilcolmkill due to her as terce and to her son. All parties were present in Court when the case was decided, and the Earl was ordained to cease his spoliation and to pay the rents to the proper

[1] *Sutherland Book*, i. 62-64. [2] *Acta Dom. Conc.*, 378, 379. [3] *Ibid.*, MS. vii. 174. [4] *Ibid.*, viii. 66, 9 July 1498. [5] *Ibid.*, xi. 4a.

parties.[1] This is the last appearance of him on record, and he is said to have died in 1508.

Sir Robert Gordon says this Earl married a daughter of Alexander Macdonald, Lord of the Isles, though no proof is forthcoming. Sir Robert adds that this lady was nearly drowned while crossing the ferry at Unes, and was found in a state of weakness and slain by a robber. She must have been his first wife. His second wife was apparently Fingole (said to have been a daughter of William of Calder, Thane of Cawdor), widow of John Monro of Fowlis,[2] who died some time before April 1491. She must have been the mother of Alexander named below, as he had a brother, Mr. Robert Monro. In February 1497-98 there were preparations for a divorce between her and the Earl, which the Lords of Council referred to the Vicar-General of Caithness.[3] The Earl married a third time, as between 1509 and 1512 a Catherine, Countess of Sutherland, is credited with her terce from the earldom.[4]

The Earl had issue by first marriage :—

1. JOHN, ninth Earl of Sutherland.
2. ELIZABETH, afterwards Countess of Sutherland.

The Earl had another son :—

3. *Alexander*, of whose legitimate status there is much doubt. Sir Robert Gordon asserts definitely that he was illegitimate, and that his mother was a daughter of Ross of Balnagown. But there is some reason for uncertainty as to this in view of the facts stated above. He was born in 1491, and in 1509, when only eighteen, he opposed the service of his brother John as heir to their father, and requested that curators *ad lites* should be appointed to himself. This was done, and they advised him to renounce his right in and to the earldom in favour of his brother John and sister Elizabeth, and her husband Adam Gordon, reserving his right of succession if their heirs wholly failed. As a compensation he was secured in lands worth forty merks yearly, which sum was duly paid to him.

[1] *Acta Dom. Conc.*, xi. 4b; *History of the Monros*, 28. [2] See *Acta Dom. Conc.*, 92*. [3] *Ibid.*, vii. f. 114. [4] *Exch. Rolls*, xiii. 268, 447.

In 1514 he, being now of age, appeared by a procurator, Mr. Robert Munro, designed his brother, and opposed the service of his half-sister Elizabeth as heir to her brother Earl John, but did not found his pretensions on his right of blood, but on an alleged deed of entail in his favour, which, however, he did not produce. In 1515 he committed various acts of spoliation, among other feats taking possession of Dunrobin, and was incarcerated in Edinburgh Castle for wrongfully uplifting certain duties belonging to the Crown. In the year 1518 he was again in the north, and a second time seized Dunrobin Castle, which, however, he was obliged to surrender. He was killed in a conflict near Kintradwell, in the parish of Loth, in 1519 or 1520. He married a daughter of Iye Roy Mackay of Strathnaver, and had issue.[1] His descendants continued till 1829, and may still exist.

IX. John, ninth Earl of Sutherland, though he was Earl *de jure* can scarcely be said to have been so *de facto*, as he laboured under the same malady as his father did, yet he does not appear to have been completely fatuous, but was evidently weak and facile. It was probably he who, with his father, was taken to the presence of King James iv. in 1498. He succeeded, it is said, in the year 1508, and was retoured heir to his father on 24 July 1509, but did not complete his title in the usual form. He was considered a ward of the Crown, and the Sutherland estates were administered by the High Treasurer, then Andrew Stewart, Bishop of Caithness. An allowance was made for his food and other necessaries to Mr. Cuthbert Baillie, rector of Sanquhar. The Earl's mental weakness, however, increased, and in 1514 steps were taken to pronounce him legally incapable of managing his affairs. A commission was issued to certain noblemen to act as sheriffs, and to summon a jury to meet at Perth, to be free from local influences. The Earl himself was present, and before the proceedings were closed he was asked as to his succession.

[1] *The Book of Mackay*, 78; *Hist. of House and Clan of Mackay*, 1829, 105.

He immediately declared that his sister Elizabeth, her husband Adam Gordon, and their children, were his nearest heirs, and he also entered into what was in law a voluntary interdiction of himself from making improper settlements or conveyances of his estate.[1] This was on 13 June 1514, and within a month the Earl died, but the place of his death and that of his burial are alike unrecorded. The succession then opened to his sister,

X. Elizabeth, Countess of Sutherland, who became such after her brother John's death. Little is recorded of her before that date except her marriage, which, Sir Robert Gordon says, took place in 1500, to Adam Gordon, second son of George, second Earl of Huntly. In July 1509 her half-brother Alexander, by advice of his curators, resigned his right to the earldom in favour of her brother John and herself. Two months earlier it was proposed to infeft Elizabeth as heir of her father,[2] but this plan was abandoned, and her brother John was served heir, as already stated. The steps taken as to Earl John's incapacity have already been indicated, and his death in July 1514 opened the succession to Elizabeth. After some preliminary proceedings she was, on 3 October 1514, served heir to her brother as the last holder of the earldom. Her half-brother Alexander sent a procurator to Inverness to oppose the service, alleging an entail by royal charter of the lands and earldom of Sutherland. But he did not produce it, and the jury duly made the service.[3] The precept for her infeftment in the earldom was, however, not issued till May 1515, and she was finally infeft on 30 June 1515.[4] After this she and her husband were styled Earl and Countess of Sutherland.[5] In September 1516 Dunrobin Castle was in the hands of Alexander Sutherland, and the Earl and Countess entered into an agreement with the Earl of Caithness that he should aid in recovery of the fortress.[6] Another friendly agreement was made on 31 July 1517 with Y Mackay, and renewed in August 1519 with his son John Mackay, whose good offices were also

[1] *Sutherland Book*, iii. 52, 53. [2] *Ibid.*, 40. [3] *Ibid.*, 56. In August 1517 and February 1517-18 Alexander applied for a writ of error against the jury, but failed to pursue the action; *Acta Dom. Conc.*, xxx. 159, 208.
[4] *Sutherland Book*, iii. 57-60. [5] Cf. *Ibid.*, 61. [6] *Ibid.*, 63-67.

desired against Sutherland. Notwithstanding this, Alexander again seized Dunrobin, and the Earl of Caithness was called on to fulfil his bargain, which he apparently did, though reluctantly. As a result of these troubles the Countess and her husband seem to have resided very little in their earldom, and after 1524 they devolved the cares of administration largely on their eldest son Alexander, Master of Sutherland, who took much part in affairs before they resigned the earldom in his favour in November 1527. Other notices of the Earl and Countess are not of special importance. The Countess died in September 1535, at Aboyne, and the Earl died on 17 March 1537-38, at Ferrar, near Aboyne, and they were both buried there. The Earl and Countess had issue:—

1. ALEXANDER Gordon, Master of Sutherland, of whom a notice follows.
2. *John* Gordon, who is named in the agreement of 1527, when the earldom was resigned to his eldest brother. John was, by favour of the Earl of Huntly, to be received as tenant of certain lands of Aboyne, with other provision for him. Sir Robert Gordon says he lived at Tillichaudie, or Tillychaddy, in Aberdeenshire. He had issue a daughter, married to George Gordon of Cochlarachie.
3. *Mr. Adam* Gordon, who lived at Ferrar, in Aboyne. He was killed at the battle of Pinkie in September 1547, leaving only an illegitimate son, *Adam* Gordon of Golspie Kirkton, who died, very aged, in 1626.
4. *Gilbert* Gordon of Garty, named in a charter of 1563, as uncle of John, tenth Earl of Sutherland.[1] He married Isabel Sinclair, daughter of Alexander Sinclair of Dunbeath,[2] and had issue two sons, *John* and *Patrick*, who succeeded him in Garty. It was Gilbert's wife who was accused of and tried for the crime of poisoning the tenth Earl of Sutherland and his Countess in June 1567. He had also an illegitimate son, *George* Gordon of Marle, in Strathullie.

The daughters, according to Sir Robert Gordon, were:—

5. *Beatrix*, married to the Laird of Gormack.

[1] *Sutherland Book*, iii. 129. [2] *Caithness Family History*, by John Henderson, W.S., 16.

6. *Helenor*, married, first, to Gordon of Tilliwhoudie, and secondly, to George Gordon of Craig.
7. *Elizabeth*, married to the Laird of Lethintie.
8. ——, married to the Laird of Leys and Birkenbog.

The Earl had an illegitimate daughter, married to John Robson, chieftain of the Clan Gunn.[1]

He had also an illegitimate son, *Thomas* Gordon, in 'Mallades' (Mill of Dess).[2]

XI. Alexander Gordon, Master of Sutherland, appears as such in a writ by his father, dated 31 August 1515, and was probably born about 1501. In 1522 John Mackay of Strathnaver renewed to the Master his bond of service given to Earl Adam, as already stated.[3] In March 1525 the Master went to Edinburgh to represent his parents in the settlement of their dispute with the Earl of Caithness, and in November 1527 the Earl and Countess resigned the earldom in his favour under certain conditions.[4] From this time he took the place of his parents. On 4 March 1527-28 he and his wife had a Crown charter of the lands of Navidale, in the parish of Kildonan, and of Garty, Lothmore, and others, in the parish of Loth.[5] One of the Master's charters in April 1529 has the first reference to coal in Sutherland, but it was apparently not then mined, and the first pit was sunk in 1598. The later incidents of his career are few, and chiefly relate to charters granted by him. Sir Robert Gordon credits him with much bravery and great success in clan conflicts with the Mackays, but these are not borne out by actual record. He resided much at Dunrobin, and died there, it is said, on 15 January 1529-30. He married Janet Stewart, eldest daughter of John Stewart, second Earl of Atholl, and Janet Campbell, his wife. (*See title* Atholl.) The marriage probably took place about 16 June 1520, though Sir Robert Gordon refers it to the year

[1] These are so stated by Sir Robert Gordon (p. 88), but no reliance can be placed on his statements, though it is certain the Earl and Countess had daughters. An Helenor Gordon did marry George Gordon of Auchmenzie and Tilphoudie, and had a charter of Tilphoudie on 9 January 1562-63 (*Records of Aboyne*, 98; cf. 209), but it is not proved that she was a daughter of Earl Adam. No such person as George Gordon of Craig has been found, and the other statements cannot be verified. [2] *House of Gordon*, by J. M. Bulloch, i. 14. [3] *Sutherland Book*, iii. 71. [4] *Ibid.*, 78-81. [5] *Reg. Mag. Sig.*, at date.

1518. The Mistress of Sutherland survived the Master, and married, secondly, Sir Hew Kennedy of Girvanmains before May 1532;[1] thirdly, before November 1544, Henry, Lord Methven;[2] and, fourthly, about 1557, Patrick, Lord Ruthven, having issue to each husband. According to Sir Robert Gordon, her fifth husband was James Gray, son to Lord Gray of Foulis, without issue.[3] The Master had issue:—

1. JOHN, tenth Earl of Sutherland.
2. *Alexander* Gordon, who in May 1547 received a charter from Thomas Stewart of Kintessok, of the lands of Kintessok, in the county of Elgin.[4] Sir Robert Gordon states that when, in 1550 and 1551, John, Earl of Sutherland, was in France, Alexander governed the earldom in his brother's absence, but with so much severity that the people raised a tumult against him. He died in 1552, at Elgin, by a fall from his horse, 'exceedinglie lamented by all his freinds, and cheiflie by his brother Earle John, who loved him intirlie.'[5]
3. *William*, who is named in Sir Robert Gordon's History, but of whom nothing more has been discovered.
4. *Janet*, married to Sir Patrick Dunbar of Westfield and Cumnock.
5. *Beatrice*, married to William Sinclair of Dunbeath.

XII. JOHN, tenth Earl of Sutherland, succeeded his grandfather on 17 March 1537-38, when still in his minority, as he was born in 1525. The non-entry, ward, and relief casualties exigible from his estates were granted by King James V., on 1 April 1538, to Sir John Campbell of Calder. The Earl took an active part in affairs, even before his majority, and threw his influence on the side of the Catholic party after the King's death. This was owing to his relationship to the Earl of Huntly, and the two Earls both signed, on 24 July 1543, what was known as the Cardinal's Band, an obligation to support Beaton in his policy. The

[1] *Sutherland Book*, i. 99 *n*. She must have been divorced from Kennedy, who was still alive in 1565 (cf. *Reg. Mag. Sig.*), some time after June 1542 (cf. *Acts and Decreets*, i. 27), and thereafter lived with Lord Methven; their children were legitimated in 1551 (*see title* Methven). [2] *Ninth Rep. Hist. MSS. Com.*, 191. [3] *Genealogy, etc.*, 106. [4] *Reg. Mag. Sig.*, 24 July 1547. [5] *Genealogy*, 132, 133.

young Earl, though still a minor, sat in the Parliament at Edinburgh in December 1543. On 4 May 1546 he was served heir to his father, and as the earldom had been in the hands of the Crown since Earl Adam's death, the non-entry duty amounted to the large sum of £5333, 6s. 8d. Scots, the yearly rental being stated as £666, 13s. 4d., or 1000 merks Scots. In the following year he describes himself as Lieutenant north of Spey, an authority probably delegated to him by Huntly. That year also he was at the battle of Pinkie, and escaped from the rout, though Huntly was taken prisoner. In 1548 he and his brother-in-law Robert Stewart, Bishop of Caithness, entered into an agreement by which the Earl agreed to protect the Bishop and his chapter, and to defend them and their interests in every way, in return for £100 Scots yearly. Later, he was induced by the Bishop to enter into amicable relations with his neighbours, the Earl of Caithness and Donald Mackay of Farr. He had a tack from the Crown of the earldom of Moray, and about the same time he was received as tenant of the earldom of Ross, a fact which Sir Robert misdates and misrepresents.

When the Queen-Dowager left Scotland for France in August 1550, the Earl of Sutherland went in her train, and it is said received the order of St. Michael from the French King. He had returned and was in Scotland in 1553. In 1554 a series of incidents occurred which Sir Robert Gordon misdates. It is to the year 1555 he erroneously refers the Earl's acquisition of the care of the earldom of Ross, and attributes to this the opposition of the Mackays ending in the siege of Borve Castle and the capture of Mackay. But the tenancy of the earldom of Ross was granted in 1548 or 1549, and the hostility of the Mackays is said to have been manifested while the Earl was absent from Scotland. In 1554, however, matters grew to a head, and the Queen-Dowager was appealed to. A letter from the Earl himself helps to fix the order of events, which hitherto have been known only in a confused way. On 26 July 1554, he writes to the Queen-Dowager from Dunrobin, a simple story, to the effect that he had been 'wonderus seik,' which led Mackay [Iye du Mackay] to send a hundred men with his cousin John [Mor] Mackay, to do the Earl a mischief, who

came to 'ane sanctuarie or gyrtht' called Navidale, and took away certain women and goods. The Earl's men followed up the marauders, and set upon them on 'this last St. James evin [24 July], ane wonderus evill day of weitt, and has slane and drownit mony of thaim and brocht agane the wemen and gudis.' He purposes to hold Mackay 'walkand,' till the coming of the ship with munition.[1] This shows that he expected aid, and in the following month Sir Hew Kennedy of Girvanmains sailed from Leith under a Commission of Justiciary,[2] and between that and 4 October 1554, Borve was taken.[3] On 14 October, Kennedy wrote to the Queen-Dowager that he was to meet Mackay on the 18, and hoped to win him to submit to her.[4] Mackay did submit on 11 November, sailed with Kennedy on the 16, and was sent to Dumbarton on 16 December 1554,[5] where he remained a considerable time. Sir Robert Gordon inverts the order of these events and places them in the years 1555 and 1556, being probably misled by the appointment of the Earl as Crown bailie of the lands of Farr on 22 October 1555.[6]

The Earl also received a large accession of territory from the Church. In 1553 his brother-in-law, the Bishop of Caithness, appointed him bailie of the diocese, and in 1557 many Church lands were conveyed to him in return for feu-duties. The Earl also attended Parliament and took part in the affairs of the time, but a wound received in a skirmish with some French mercenaries laid him aside for a time. He seems to have adhered to the Catholic party in the crisis of the Reformation, and he favoured the Earl of Huntly, who was then in opposition to Queen Mary. The battle of Corrichie, fought on 28 October 1562, brought about the death of Huntly, and it was found that Sutherland was in correspondence with him. He was accused of treason, and in June 1563 was condemned and forfeited by the Parliament. He went abroad and remained in Flanders for a time, but in 1565 was recalled to Scotland. On his way homeward,

[1] Original letter in Gen. Reg. Ho. [2] Of date 17 August 1554; *Exch. Rolls*, xviii. 572. [3] *Ibid.*, 575. [4] Original letter in Gen. Reg. Ho. [5] Cf. *Treasurer's Accounts*, MS., August 1554, and October 1555, when Kennedy's expenses were paid. [6] *Reg. Sec. Sig.*, xxvii. f. 127. He also, on 7 July 1555, was granted a yearly pension of 1000 merks (*Sutherland Book*, ii. 2, 3).

however, his vessel was taken, and he himself brought prisoner to Berwick. Queen Mary was very desirous of his release, but Queen Elizabeth refused to set him free until she was induced by the Earl of Moray to do so. He was rehabilitated in his estates and dignities by a letter under the Great Seal on 12 December 1565, and returned to Scotland on 7 March 1565-66, two days before the murder of Rizzio. On 25 March 1566 the Earl received from Henry and Mary a new charter of his lands, the whole being erected into a free earldom to be called the earldom of Sutherland, and he was infeft in May following.[1] He was present at the Parliament of 19 April 1567, which finally rescinded his forfeiture, and he was one of those nobles who on that day or the next signed the bond which bound the signatories to promote the marriage of Bothwell with the Queen. He was also one of the few nobles who attended the marriage ceremony in Holyrood 'auld chappell' on 15 May 1567. This was probably his last public act, as he proceeded north, and died on 23 June 1567 at Dunrobin, the victim of poison, administered to him and his Countess in food or drink while staying at Helmsdale, by the wife of his uncle Gilbert Gordon of Garty, Isabel Sinclair, who hoped to secure the earldom to her own son, who, however, was one of those poisoned. The Earl and his Countess were taken to Dunrobin, where they died as stated.

He married, first, before 6 August 1546, Elizabeth Campbell, only daughter of Colin, third Earl of Argyll, and widow of James, Earl of Moray, who had died on 12 June 1544. Through her he acquired an interest in the earldom of Moray, and later obtained a lease of that and her other jointure lands. She died, without issue to the Earl, before 15 May 1548.[2] Shortly afterwards, about 6 August 1548,[3] he married, secondly, Helenor Stewart, daughter of John, Earl of Lennox, widow of William Hay, sixth Earl of Erroll. (*See these titles.*) They had a papal dispensation on 15 April 1549. She died shortly before 25 November 1564;[4] and the Earl married, thirdly, Marion Seton, daughter of George, fourth Lord Seton, widow of John, Earl of Menteith.

[1] *Sutherland Book*, iii. 135-139. [2] *Acts and Decreets*, xi. f. 76. [3] *Reg. Mag. Sig.*, 10 August 1548. *The Complete Peerage*, following Wood's Douglas, gives 5 April 1548, but this is erroneous. [4] *Edin. Com. Decreets*, at date.

(*See that title.*) She was poisoned with the Earl, and they died on the same day, as already stated.

The Earl by his second wife only had issue:—

1. *John*, who died young.
2. Alexander, who succeeded as Earl of Sutherland.
3. *Margaret*, who died unmarried.
4. *Jean*, married, first, to Alexander Innes of that Ilk;[1] secondly, to Mr. Thomas Gordon, ninth son of George, fourth Earl of Huntly. (*See that title.*) She died in January 1584, and was buried in the Cathedral of Elgin.
5. *Eleanor*, who was contracted, on 15 April 1579,[2] to Robert Monro, younger of Foulis, but died on the night preceding her appointed marriage-day.

XIII. Alexander, eleventh Earl of Sutherland, was only fifteen when he succeeded to his father, having been born, according to Sir Robert Gordon, in Darnaway Castle at midsummer 1552. He was brought up or fostered in the family of Dunbar of Grangehill. He narrowly escaped his father's fate, and was sent for safety to the Castle of Skibo, where he was found by the Earl of Caithness, who had purchased his wardship till he was of age. Caithness in the capacity of guardian resided at Dunrobin, where he is said to have burned what he could of the family writs, but the late Earl of Sutherland had placed these in safe custody. Sir Robert Gordon gives details of another plot against the young Earl which was frustrated by his friends, who helped him to escape from Dunrobin and take refuge with the Earl of Huntly. In 1573, being now twenty-one, the Earl took steps to obtain legal possession of his estate, but his service as heir was obtained with much difficulty, as owing to local feuds among the barons and gentlemen of Inverness-shire, a sufficient number to form a jury could not be safely

1 *The Familie of Innes*, 23, 37. This lady is also variously named Janet and Margaret, but in a writ of 1576 by her brother Earl Alexander she is called Jean. Her husband was killed in 1576, but during the feud between her brother and the Earl of Caithness it was proposed in October, November and December 1575 and February 1576 that the parties should be reconciled by a marriage between *Mistress Jean Gordon*, sister of Earl Alexander, and George Sinclair (of Mey), son of the Earl of Caithness (*Acts and Decreets*, lxxi. f. 274). But the proposal did not take effect.

2 Writ in Sutherland Charter-chest.

convened. He applied to the Privy Council, soliciting a special court to be constituted at Aberdeen, and there accordingly the service was carried through on 8 July 1573.[1] He entered to his inheritance at a time when the counties of Sutherland and Caithness were in a state of turmoil, but according to Sir Robert Gordon he succeeded in pacifying his own tenants, and he also, after a tedious legal process, obtained the reduction of the rights of justiciary held over his territory by the Earl of Caithness.[2] He took little part in public affairs, but he appeared at court more frequently during the stay in Scotland of his kinsman Esmé, Duke of Lennox. The rest of his career cannot easily be set down here, as it was occupied largely with treaties of reconciliation between him and his neighbours the Earl of Caithness, and Mackay of Farr and others, so as to prevent the frequent feuds and quarrels which had formerly disturbed the country. From various references to sickness and disease in connection with this Earl it would appear he was frequently in bad health, and he died, at the early age of forty-two, on 6 December 1594, being buried in Dornoch Cathedral.

He married, first, Barbara Sinclair, daughter of George, fourth Earl of Caithness, his guardian, as already stated, who forced the marriage upon the young Earl, she being thirty-two and he fifteen. The union was not a happy one, 'ane vnfitt match indeid,' according to Sir Robert Gordon, who speaks of the lady in very uncomplimentary terms. The Earl obtained a decreet of divorce against her on the ground of her adultery with Y Mackay of Farr, on 30 June 1572,[3] and she died about 1573. On 13 December that year he married, at Strathbogie, Jane Gordon, daughter of George, Earl of Huntly, who, born in 1546, had been married (in terms of a dispensation of date 17 February 1565-66) to James Hepburn, Earl of Bothwell, on the 25 of that month. But, as is well known, the marriage was not of long duration, and she became the wife of the Earl of Sutherland. She survived him and married Alexander

[1] *Sutherland Book*, iii. 141-150. [2] *Acta Parl. Scot.*, iii. 357-360. He had previously obtained an exemption for himself and friends from the Earl of Caithness's jurisdiction in February 1577-78 (*Acts and Decreets*, lxxi. f. 274). [3] *Edin. Com. Decreets.*

Ogilvie of Boyne, whom she also long survived, dying at Dunrobin on 14 May 1629. Her son, the family historian, bestows on her an affectionate eulogium, apparently well merited. They had issue:—

1. JOHN, twelfth Earl of Sutherland.
2. *Alexander*, and 3. *Adam*, who both died in infancy.
4. *Sir Robert*, born at Dunrobin 14 May 1580, was educated first at the school of Dornoch till 1596, then, two years later, at the University of St. Andrews, whence he went to Edinburgh, where he remained three years. In May 1602 he received permission to travel abroad for seven years, but he returned to Scotland in 1605. He entered the service of King James VI., and rose rapidly in favour, the honour of knighthood having been bestowed on him in 1609, and in March 1615 he had the degree of M.A. conferred upon him by the University of Cambridge. He contributed largely to Sir William Alexander's Nova Scotia colonisation scheme, and received a charter of 16,000 acres of land on the east side of the bay called Port de Mouton. He was also, on 28 May 1625, created a Knight Baronet, becoming the premier Baronet of Nova Scotia. For fifteen years, from 1615 to 1630, Sir Robert was tutor and guardian of his nephew the thirteenth Earl of Sutherland, a duty which he fulfilled to the utmost of his power. His most memorable work, however, was his *Genealogie of the Earls of Sutherland*, in which he gave the history of the Earls, and chiefly of his own family of Gordon. The work was finished in MS. in 1630, and remained in MS. till it was printed with a continuation in 1813. A full account of Sir Robert is given by Sir William Fraser in his *Sutherland Book*. He died at Gordonstown in March 1656, and was buried at Drainie. He married, at London, on 16 February 1613, Louisa, only daughter and heiress of John Gordon, Lord of Longormes in France, and Dean of Salisbury. They had issue five sons and four daughters.[1]

[1] See a detailed pedigree of Sir Robert's descendants in *The Sutherland Book*, i. 511, 512, and a memoir of him 192-205.

5. *Sir Alexander*, born 5 March 1585, at Dunrobin, educated with his brothers. He aided his brother, Sir Robert, in the management of the Sutherland estates. He held the lands of Navidale and others in the parish of Kildonan. He was knighted by King James VI. in 1617 at Holyrood. He went to Ireland 1631; returned to Scotland in 1636. Again went to Ireland, but though researches have been made in that country nothing further has been discovered regarding him. He married Margaret Macleod of Assynt, and had issue.[1]
6. *Jane*, born 1 November 1574, married in December 1589 to Hugh Mackay of Farr, and had issue. (*See title* Reay.)
7. *Mary*, born 14 August 1582. She must have been affianced in infancy to David Ross, as a liferent charter by George Ross of Balnagown, his father, in her favour was confirmed 3 March 1584-85.[2] She was married (contract dated 21 February 1597-98[3]) to David Ross of Balnagown, and died in 1605, without issue.

XIV. John, twelfth Earl of Sutherland, born on 20 July 1576, succeeded his father while still under age, but as he had been placed, in 1577, in legal possession of the fee of the earldom he suffered no inconvenience from his minority. He, like his younger brother, began his education at the school of Dornoch, but he did not go forward to the Universities. After his accession he tried to make friends with the Earl of Caithness, who received him with great apparent friendship, but secretly attempted an act of treachery, which roused the young Earl to summon his men to make an attack on Caithness. He was, however, restrained by Huntly, and both Earls were bound over by the Privy Council to keep the peace on a penalty of 20,000 merks each. On 13 December 1597 the young Earl took part in the opening of Parliament, and carried the sword of State before the King, which he claimed as his hereditary right. The question of precedence between him and the Earl of Caithness was raised in this Parliament and caused

[1] *Sutherland Book*, i. 206-208. [2] *Reg. Sec. Sig.*, lii. f. 20; cf. *Sutherland Book*, i. 146-148. [3] *Gen. Reg. Inhibs.*, 2nd ser., iv. f. 374.

a fresh feud between the Earls, which lasted during Sutherland's lifetime. In July 1598 he went abroad and travelled for two years, with a view to acquiring such knowledge and experience as would fit him for better service to his King and country. The removal of the Court from Edinburgh to London in 1603 tended to hinder the Earl's aspiration after statesmanship, but he bent his energies to develop his estates and benefit his people. He opened coalpits at Brora, erected saltpans, and otherwise made work available. On 29 April 1601 the Earl obtained a royal charter entailing the Sutherland estates and earldom, failing his own heirs-male, upon Robert, his younger brother-german and the heirs-male of his body, whom failing, upon Alexander Gordon, his next brother; whom all failing, upon Adam Gordon, son of George, first Marquess of Huntly, and his heirs-male. The earldom was also erected into a regality and the Inver of Brora was created a free burgh of barony and regality to be called Inverbrora, with all usual privileges. The Earl's territories were also erected into a sheriffdom to be called the sheriffdom of Sutherland, the Earls to be the hereditary sheriffs and Inverbrora the chief burgh. Much of the Earl's life was taken up with feuds with the Earl of Caithness, which at one time threatened to be serious, but matters were ultimately arranged. He adhered, like his mother, to the older faith of his family, and suffered a considerable amount of persecution in consequence. He was obliged to reside in St. Andrews and Edinburgh and so incur much expense, which he regretted, as it stopped useful work and improvements in his own county. All these things undermined his health, never very robust, and he died, at the early age of thirty-nine, at his house in Dornoch, on 11 September 1615. He left the care of his family and estates to his brother Sir Robert.

He married, at Edinburgh, on 5 February 1600, Agnes or Annas Elphinstone, eldest daughter of Alexander, Master of Elphinstone, afterwards fourth Lord Elphinstone.[1] (*See that title.*) The King, the Queen, and a large number of the nobility were present at the wedding. On the same day her sister Jean was married to Arthur, Lord Forbes. The Countess survived her husband and died at Crakaig,

[1] Edin. Marriage Reg.

her jointure house, on 18 September 1617, aged thirty-six. They had issue:—

1. *Patrick*, born in 1604.
2. *Alexander*.
3. *Robert*.

} all three dying in infancy.

4. JOHN, who became thirteenth Earl of Sutherland.
5. *Adam*, born 15 May 1613; entered, in 1631, the service of Gustavus Adolphus, King of Sweden. He was promoted to be lieutenant-colonel, but was shortly afterwards killed at the battle of Nordlingen, 27 August 1634, unmarried.
6. *George*, born after his father's death on 9 February 1616. He was educated at St. Andrews. He marched with a company of Sutherland men to Newcastle and took part in the campaign of 1640. He was afterwards on service in Ireland, but nothing further has been found regarding him. He married Rose Macdonell, daughter of Randal, first Earl of Antrim.
7. *Jane*, baptized 30 June 1601,[1] but died in infancy.
8. *Elizabeth*, married, on 25 February 1619, to James Crichton of Frendraught, and had issue. (*See title* Frendraught.)
9. *Anne*, married, in December 1623, to Sir Gilbert Menzies of Pitfoddels, and had issue. She died in July 1648, being wrecked on the coast of Holland.
10. *Mary*, born 19 November 1614, at Edinburgh; died there 2 February 1615.

XV. JOHN, thirteenth Earl of Sutherland, was born 9 March 1609 and succeeded his father in September 1615, when not yet seven years old, and his affairs were administered by his uncle, Sir Robert. He was served heir to his father, in terms of a royal dispensation, on 4 June 1616, and then or soon after was placed for education and other reasons under the care of Mr. John Gray, Dean of Caithness. He remained with him at Dornoch till 1623, when in April he was sent to Edinburgh to carry on his studies there. Sir Robert Gordon says that his tenants and clansmen took so much interest in his career that they voluntarily subscribed a yearly sum to assist in maintaining the

[1] Canongate Reg.

Earl and his two younger brothers at the University for five years in a manner befitting their rank. In December 1626 the Earl was removed to St. Andrews and entered the University there on 26 January 1627, at the same time with James Graham, Earl of Montrose, afterwards Marquess. They became friends, though Sutherland was three years the elder. The latter remained at St. Andrews until 1630, when he came of age, and went north to manage his own affairs.

In 1631 he completed an agreement with King Charles I. by which the sheriffdom of Sutherland was erected into a jurisdiction separate from that of Inverness, of which it had hitherto formed part. The districts of Strathnaver, Edderachillis, Durness, Strathhalladale, Assynt, and part of Creich were added to Sutherland proper, and the whole were erected into a sheriffdom to be called the sheriffdom of Sutherland, Dornoch being declared to be the head burgh, with right to send a commissioner to Parliament.[1] Between this date and 1637 little is recorded regarding the Earl except occasional disputes arising from personal quarrels or clan feuds. In 1637, however, he was deeply interested in the crisis which passed over the whole of Scotland in connection with the Service Book, and he took an active part in presenting the petition drawn up by the nobility. He remained in Edinburgh during the winter of 1637, and is said to have been the first to sign, on 28 February 1638, the famous Confession of Faith or National Covenant displayed in the Greyfriars Church. His doings which are historical need not be detailed here, but in Parliament and elsewhere he continued to maintain his views. He took his full share also in the military events of the time and once and again sent his clansmen to the field. He is said to have commanded them at the battle of Auldearn when the Covenanting army was defeated by Montrose. Between 1646 and 1649 he was much occupied in disputes with Lord Reay and the Mackays. In 1651 he fitted out a large contingent of his clan, who marched with King Charles II. to Worcester, but the Earl did not accompany them. He submitted to the Commonwealth government, and in 1654 petitioned for redress of certain money losses

[1] *Acta Parl. Scot.*, v. 62, 63.

owing to the abolition of feudal casualties. He received a grant of the Office of Keeper of the Privy Seal of the Commonwealth, and he held it personally during 1657 and 1658, with other appointments. These, however, did not stave off the burden of his debts and he put his affairs for a time into the hands of his uncle, Sir Robert Gordon.

In the first Parliament of Charles II. which met on 1 January 1661, the Earl bore the sceptre in the opening ceremonial, but it is doubtful if after this he personally attended Parliament, though his name occurs in the records. In February 1662 he carried out an arrangement which had been in his mind for some years, and resigned his estates into the hands of his son George, Lord Strathnaver, and thereafter took little part in affairs. He died on 14 October 1679, when apparently his son was from home, as he was unable to be present at his father's funeral.

The thirteenth Earl married, first, at Seton on 14 February 1632, Jean Drummond, only child of James, first Earl of Perth, with a dowry of 5300 merks. She was, it is said, a 'verteous, comely and prudent lady,' and they lived 'in great love and mutuall amitie' till her death on 29 December 1637. He married, secondly, on 24 January 1639, Anna Fraser, second daughter of Hugh, seventh Lord Lovat (*see that title*), who died without surviving issue, at Dunrobin on 29 July 1658.

The Earl had issue, by his first wife:—

1. *John*, styled Lord Strathnaver, born 21 November 1632, and died of smallpox at Dornoch on 14 October 1637.
2. GEORGE, who became fourteenth Earl.
3. *Robert*, born at Dunrobin on 31 December 1635. In 1654 he travelled with his elder brother to London, where they remained for two years. He was a Commissioner to Parliament for the county of Sutherland in 1661. He married (contract dated 14 November 1665) Jane Mackay, eldest daughter of John, Lord Reay. He died somewhat suddenly in 1671 at Langdale, Strathnaver. The History of the Frasers, known as the *Wardlaw MS.*, states that his death was caused by a high fever brought on by excessive drinking, but the truth of the tale is discounted by the assertion that

his death took place in very brief space after his marriage, whereas he and his wife were married for some years before his death. Also it is said that his 'young widow wept out her eyes and lived desolate and disconsolate all her days,' whereas about March 1676 she married Hugh Mackay, second of Strathy, with issue two sons.[1] Robert Gordon had no issue.

4. *Jean*, born at Dornoch 10 October 1634; married (contract dated 11 July 1657) to Captain Robert Stewart of Eday, with issue.

XVI. George, fourteenth Earl of Sutherland, was born at Dornoch 2 November 1633. By the death of his elder brother John in 1637 he became his father's direct heir. The first notice of him in the family papers is in connection with a visit he and his brother Robert made to London, leaving the north in August 1654, and receiving a pass into England from General Monck. They travelled on horseback from the Spey to York, where they took a coach. This cost them £3, and 1s. at each change of coachman, the journey from York to London occupying a week. It is impossible to describe all their doings, but the accounts which are preserved give details of their personal expenses, amusements, studies, sight-seeing, book-buying, and daily pursuits, with various references to public men whom they interviewed as to the losses sustained by their father the Earl. They left London on their way home in May 1656, and reached Dunrobin in due course. In June 1660 he was again in London with his wife to greet King Charles II. after his restoration. In 1662 he was placed in full possession of the Sutherland estates, and thenceforth administered the affairs of the earldom, though with some difficulty owing to the disturbed state of the country, on account of which he and the Earl of Caithness entered into mutual agreement for suppression of disorders, but the result was not very successful. It appears, however, that Lord Strathnaver, as he still was, and his wife were greatly occupied by constant litigation, which prevented him giving full attention to the earldom. These law pleas largely arose

[1] *Wardlaw MS.*, Scot. Hist. Society, vol. 47, 493; *The Book of Mackay*, 157, 311.

out of her affairs, and in 1675 she and her husband granted a seven years' lease of the earldom, under certain restrictions, to certain persons for a yearly rent of 16,000 merks Scots.

In October 1679 he succeeded his father as Earl, and in the following June he resigned the earldom in favour of his son John, now Lord Strathnaver, himself receiving the sum of 8000 merks Scots yearly. He and his Countess, later, appear to have left Scotland, and while little is known of their movements, he was still abroad in November 1685, then living in Rotterdam, where his wife joined him. It would appear that he did not entirely support the government of King James VII. They remained abroad until the Prince of Orange sailed for England, and the Earl, it is said, came over with him. He was certainly present at the Convention of Estates on 14 March 1689 in Edinburgh, and thenceforth took part in Scottish affairs. He raised anew the question of precedence between himself and other Earls, but the Courts were slow and nothing decisive was done in his lifetime. He continued to attend Parliament, though not constantly, his last appearance there being apparently in October 1700. He is not again referred to, and died on 4 March 1703 in his seventieth year. He was interred in the Abbey Church of Holyrood, where a monument was erected to him by his Countess, with a Latin epitaph believed to be composed by George, first Earl of Cromartie. He married, on 11 August 1659 (contract dated 22 July 1659), Jean Wemyss, eldest daughter of David, second Earl of Wemyss, and widow of Archibald, styled Earl of Angus, who died 16 January 1655, eldest son of William, first Marquess of Douglas. She survived her husband, and died at her own residence of Rosebank, Inveresk, Midlothian, on 5 January 1715, being buried at Holyrood on the 18 of same month.

They had issue:—

1. JOHN, fifteenth Earl of Sutherland.
2. *David*, born 22, baptized 29, December 1670.[1]
3. *Anna*, baptized 14 August 1663;[2] married, on 3 May 1683, to Robert, third Viscount of Arbuthnott, and had issue.

[1] Canongate Reg. [2] *Ibid.*

4. *Jean*, born 24 April 1665; died before 1680.

Two children were buried in Holyrood Church, 7 June 1666 and 24 June 1668.[1]

XVII. JOHN, fifteenth Earl of Sutherland, baptized 2 March 1661,[2] is on 1 June 1661 referred to as an infant. Nothing further is recorded of him until 1680, in which year his father resigned the earldom in his favour, which was secured to him by a Crown charter dated 24 June 1681. The charter granted the lands and earldom to Lord Strathnaver and the heirs-male of his body, whom failing, to the heirs-male of the body of his father, whom failing, to Lord Strathnaver's eldest daughter, and other heirs named. In the following year his father went abroad and Lord Strathnaver was left to manage the estates, to which he at first raised some objection. One of his first independent acts was to enter into a bond of friendship with George, Marquess of Huntly, afterwards first Duke of Gordon. To this bond was added an obligation on himself, his heirs, and successors to use the surname of Gordon only, notwithstanding recent endeavours to change it for Sutherland. Lord Strathnaver appears to have favoured the policy of King James VII., and obeyed the orders of his friend the Duke of Gordon in raising men and marching to oppose the Earl of Argyll's expedition. His men reached Argyllshire, and were somewhat too eager to show their zeal, as their depredations were dangerous to friend as well as foe, and they had to be restrained. After the Revolution he raised a regiment of six hundred men for the new Government and was made colonel. He remonstrated with Viscount Dundee (his brother-in-law) on his proceedings, and after the battle of Killiecrankie took active measures which strengthened the side of the Government. He raised a second regiment, was appointed its colonel, and served at its head in Flanders in 1694. He came home, however, in 1696. One great difficulty in regard to these regiments was that of obtaining their pay, and in 1715, when the Earl craved arrears of pay, the sum with interest amounted to £24,076, 2s. 5d. The Earl had succeeded his father on 4 March 1703, and the proceedings begun by the late Earl in 1693 for asserting his

[1] Canongate Reg. [2] *Ibid.*

precedency were transferred to his son. The chief contest was between Sutherland and the Earl of Crawford, and on 25 January 1706 the Lords of Session pronounced a judgment which practically limited the date of the earldom to 1514, thus deciding in favour of the Earl of Crawford. In February 1706 the Earl was appointed a Commissioner for the Union between England and Scotland, and in the Parliament of Scotland he steadily supported the Treaty and all its provisions. After the Union he was chosen one of the Representative Peers in the first British Parliament, but in the following year a new election took place and he failed to gain a place, and remained in retirement until the accession of King George I. He was summoned to attend the coronation on 20 October 1714. The Earl was elected to the first Parliament of King George, and he was on 19 August 1715 gazetted Lord-Lieutenant of the six northern counties, Ross and Cromarty, Moray and Nairn, Caithness and Sutherland, being directed to go north and take up his duties at once, as the probability of Mar's insurrection was known. The Earl arrived at Dunrobin on 28 September 1715 and at once set to work to muster men for the Government. He was greatly hampered by lack of arms and ammunition. His doings are set forth by himself in a Memorial to King George, in which he announces that he had obtained the submissions of various leaders of the rebel forces. In March 1716 he was summoned to London, and received an excellent reception. He was created a Knight of the Thistle, and was awarded a pension of £1000 yearly. Later in that year he went abroad, but in March 1717 he was again in London. In 1718 King George, as a special mark of favour, authorised the Lyon King of Arms to add to the Earl's coat of arms 'the double tressure circonfleur-de-lizé.' In 1719 the Sutherland men took part in the conflict of Glenshiel, which ended the Jacobite rising at that time. From this time not much is recorded of the Earl except frequent applications for compensation for his services, in which he was disappointed. He died at Chelsea 27 June 1733, aged seventy-two. The Earl married, first, at Paisley, 28 April 1680 (contract dated 22 and 26 March 1680), with a tocher of £30,000 Scots, Helen Cochrane, second daughter of the deceased William, Lord Cochrane,

and granddaughter of the first Earl of Dundonald. She died in 1690, before July, leaving issue. He married, secondly, Catherine Tollemache, fourth daughter of Sir Lionel Tollemache of Helmingham, Suffolk, Baronet, and the Countess of Dysart. (*See that title.*) She was widow of James, Lord Doune, who died 1685. (*See that title.*) She had no issue by the Earl, and died, much lamented by him, in 1705. He married, thirdly (contract 11 August 1727), in his sixty-seventh year, a lady described as 'Dame Frances Travell, widow and relict of Sir John [Robert] Travell, Knight,' who also predeceased him at Chelsea about 20 December 1732. By his first wife only he had issue:—

1. *William*, Lord Strathnaver, of whom a notice follows.
2. *Jean*, married (contract dated 31 August 1702) to James, Lord Maitland, eldest son of John, fifth Earl of Lauderdale. (*See that title.*) He died in 1709, and she survived until 11 February 1747.
3. *Helen*, who died, unmarried, at Rossdhu 19 September 1749.
4. —— a daughter, name unknown, who died young, in 1686.

William, Lord Strathnaver, the only son of the preceding, was born in December 1683, and until March 1703, when his father succeeded to the earldom, was known as the Master of Strathnaver. The next notice of him is in October 1700, when he travelled by coach from Edinburgh to London where his father was, a journey with which his grandmother Countess Jean was 'much dissatisfied.' About April 1704, when only twenty years of age, he was placed in command of a regiment, but at first it was a somewhat ineffective appointment. About 4 October 1705, his father transferred to him the Sutherland estates, with the castle of Dunrobin and 10,000 merks in money. In 1708 he was chosen to represent Dornoch in the first Parliament of Great Britain, but as the eldest son of a Peer he was in 1709 declared incapable of sitting in the House of Commons. In the same year his regiment was ordered to Holland, but he himself was not permitted to accompany it. In the rebellion of 1715 Lord Strathnaver entered heartily into the measures for its suppression, but ill-health prevented his

doing all he would. He was appointed a Deputy Lieutenant in the north, and when news came of the Spanish invasion in 1719, he took an active part in fortifying Inverness, which was threatened by the invaders and those who joined them. The situation, however, was relieved by the defeat of the Jacobites at Glenshiel, though Lord Strathnaver continued his efforts to quiet and protect the country. His health, however, continued unsatisfactory, and apparently his ailment developed into consumption. He died on 13 July 1720, aged thirty-six.

He married (contract dated 4 October 1705) Katherine Morison, eldest daughter of William Morison of Prestongrange, East Lothian, sister of Helen, afterwards wife of John, second Earl of Glasgow, and of Jean, wife of John, fifth Viscount of Arbuthnott. (*See those titles.*) She had a dowry of sixty thousand merks. She survived until 21 March 1765.[1]

They had issue:—

1. *John*, Master of Strathnaver, born in November 1706. He was apparently constitutionally weak, and was buried at Kensington on 13 December 1720, a few months after becoming Lord Strathnaver by his father's death.
2. William, who became sixteenth Earl of Sutherland.
3. *George*, born in July 1711, and died soon after July 1714.
4. *Alexander*, born July 1712, and died before 18 May 1713.
5. *Charles*, born in August 1713; under a bond of provision by his father on 12 February 1720, he was to receive 20,000 merks. In 1731 he went abroad, but did not long survive, dying abroad at Spa or Olne in August 1732, without issue.
6. *George*, born in September 1714; provided to 16,000 merks; died 13, and buried at Holyrood 18, March 1736.
7. *Robert*, born October 1715; died young.
8. *Frederick*, born September 1718; died an infant.
9. *Helen*, born 8 April 1717; provided to 24,000 merks; married, on 12 April 1740, to Sir James Colquhoun,

[1] *Scots Mag.*, xxvii. 167.

Baronet, of Colquhoun and Luss, who named his town of Helensburgh after her. He predeceased her on 16 November 1786. She died 7 January 1791, aged seventy-three. They had issue.

10. *Janet*, born before 16 May 1720; provided to 15,000 merks; married, on 24 October 1740, to George Sinclair of Ulbster, and had issue. She died at Edinburgh 9 June 1795.

XVIII. William, sixteenth Earl of Sutherland, was the second born but the eldest surviving son of William, Lord Strathnaver, and was born 2 October 1708. In 1720 he succeeded his father and elder brother as Lord Strathnaver, and he was sent abroad for a time to complete his education. He was at Paris and paid also a visit to Hanover, where he made a favourable impression at Court. From 1727 to 1733 he was member of Parliament for the county of Sutherland. He was elected in the following year as a Representative Peer for Scotland, and again in 1741. He purchased the large estate of Assynt, but for some reason his possession of it was resisted, and serious disturbances arose, in course of which Chalda House was burnt down and many cattle were stolen. He had been appointed Governor of Blackness Castle, and in 1744 he was made first Lord of Police. In the same year, when there were rumours of invasion, he offered his support to the Government, and made certain suggestions which, however, were not carried out. In the following year he took active measures in the prospect of an invasion, and entered into a satisfactory reconciliation with George, third Lord Reay, between whom and himself there had been a coolness engendered by ancient family feuds. The Earl's part in opposing the rebellion consisted largely in raising men for the Government service, and his efforts drew forth commendation from Lord President Forbes. His purposes were, however, greatly hindered by lack of arms and other military supplies. The history of the Earl's campaign is fully told elsewhere,[1] but one incident may be noted. A party led by the Duke of Perth, under cover of a thick fog, landed near Dornoch, and marched rapidly to Dunrobin Castle in the

[1] *Sutherland Book*, i. 404-425.

hope of seizing the Earl's person, but he escaped, first in an old fishing-boat, and then in a sloop-of-war, which enabled him to reach Aberdeen, whence he joined the Duke of Cumberland, and was present at Culloden. Dunrobin Castle was for a short time in the possession of the rebels, but they were driven out and many killed or taken prisoners. After the rebellion was over the Earl retired into private life, but he fell into disfavour with the Government, and was deprived of his offices. In 1747 he re-opened the coal-pits at Brora, and endeavoured by other means to develop his estates. But ill-health prevailed, and he went to Bath without result, whence he passed to France, and died at Montauban on 7 December 1750.

He married (contract dated 17 April 1734) Elizabeth Wemyss, eldest daughter of David, third Earl of Wemyss by his second wife Elizabeth, daughter of Henry, Lord Sinclair. Her dowry was 28,000 merks Scots. She died at Dunrobin on 20 February 1747. They had issue:—

1. William, seventeenth Earl of Sutherland.
2. *Elizabeth*, married, on 29 August 1757, at Dysart, to her cousin James Wemyss of Wemyss, whom she survived, dying at Edinburgh 24 January 1803.

XIX. William, seventeenth Earl of Sutherland, was born on 28 May 1735, and in 1744, when only nine years of age, received a commission as ensign in the Royal Scots, of which regiment his granduncle, General James St. Clair, was colonel. He began his education at Edinburgh, whence he was sent to school at Winchester, but there he made little progress, and his father the Earl decided to place him at Harrow, where Dr. Thomas Thackeray, great-grandfather of the more famous William Makepeace Thackeray, the novelist, was then headmaster. He stayed three years at Harrow, but in June 1750 he was sent to a private school at Enfield, to learn there some 'academical exercises' not taught at Harrow. At this school he remained two years. He succeeded to his father on 7 December 1750, and being only fifteen was placed under the charge of General St. Clair, who at once set to work to disentangle his affairs, which were 'in a mighty involved condition.' He was served heir to the earldom on 18 November 1751, and in the

following year he was sent to the University of Göttingen by the direction of General St. Clair. He returned to Britain in July 1755, but joined his regiment, then in Ireland, and only reached his own country in 1756. In August 1759 he received a commission to raise a regiment of Highlanders, and was very successful. He was elected a Representative Peer on 8 March 1763. He and the Countess were present at the coronation of King George III. on 22 September 1761, but after that, except for his parliamentary duties, little is recorded of him, as he lived very quietly, and his career was suddenly cut short. He had with his wife gone to Bath in the early part of 1766, and while there he took fever, and died on 16 June of that year. He married, on 14 April 1761, Mary Maxwell, eldest daughter and coheiress of William Maxwell of Preston, co. Kirkcudbright. She caught the fever from her husband and predeceased him on 1 June 1766. Their remains were brought to Scotland, and after lying in state at Holyrood house for some days, were buried in one grave in the Abbey of Holyrood on 9 August 1766, and a monument was afterwards erected to their memory in the church of Dornoch.[1] They had issue:—

1. *Catherine*, born in London 24 May 1764; died at Dunrobin 3 January 1766.
2. Elizabeth, who became Countess of Sutherland.

XX. Elizabeth, Countess of Sutherland, succeeded her father when little more than a year old, having been born at Leven Lodge, Bruntsfield, Edinburgh, on 24 May 1765. She was committed to the care of curators nominated by her father before her birth, and they at once proceeded to procure her legal service as heir to her father in the estates, which was done on 23 February 1767, and immediately followed by the usual formalities. No opposition was made at this stage, but soon afterwards Sir Robert Gordon of Gordonstoun presented a petition to King George III. claiming the Peerage of Sutherland as heir-male of the Gordon Earls of Sutherland by his descent from Sir Robert Gordon, second son of the eleventh Earl of Sutherland. Mr. Sutherland of Forse claimed as the heir-male of the earlier Earls by descent from Kenneth, the younger

[1] A portrait of this Earl, by the hand of Allan Ramsay, is at Dunrobin.

son of William, fifth Earl. A petition was also made on behalf of the infant Countess, claiming the title as heir to her father on the ground that the dignity was destined to heirs and not to heirs-male only. It is unnecessary to detail the proceedings here, but after considering the various cases and the evidence adduced, including the famous Additional Case drawn up by Sir David Dalrymple, Lord Hailes, the House of Lords, on 21 March 1771, decided in favour of the Countess. They adjudged to her the title, honour, and dignity of the earldom of Sutherland as heir of the body of William, Earl of Sutherland in 1275, holding that the dignity descended to Elizabeth, the wife of Adam Gordon, upon the death of her brother John, ninth Earl of Sutherland, as heir of the body of the said Earl William, and from her to the heirs-male who were also heirs of her body; her husband Adam Gordon having assumed the title in right of his wife. This judgment also fixed the date before which the dignity was conferred, and thereby made it the premier earldom of Scotland.

The young Countess grew up under the care of her maternal grandmother, Lady Alva, and had every advantage to which her rank and position entitled her in education and society. She resided chiefly in Edinburgh and neighbourhood for the earlier years of her life, but in October 1779 she and her grandmother went to London and remained there till about July 1782. While in London her portrait was painted by a 'Mr. Chalmers,' probably 'Sir' George Chalmers of Cults.

On 4 September 1785 the Countess married George Leveson Gower, Viscount Trentham, eldest son of Granville, Earl Gower, and during the next five years considerable sums were expended on Dunrobin Castle in fitting it up as their residence. During this time, or perhaps later, she and her husband visited Rome, and the Countess had an opportunity of seeing Prince Charles Edward, whom she found 'an old infirm and broken down man.' In 1788 the Countess was in London, where it is said the Prince of Wales displayed a violent antipathy towards her, and took every opportunity of affronting her. In January 1790 her husband was sent to Paris as French Ambassador, and the Countess and he were still in France on 20 June 1791 when King Louis XVI.

and his family made their celebrated attempt to escape from the country. The Countess did all in her power to assist their flight by furnishing disguises to Queen Marie Antoinette and the little Dauphin; but the attempt was abortive, and the royal family were brought back to Paris. In August of the following year the Countess and her husband were themselves in danger, as on their way home to England they were arrested and brought before the Revolutionary tribunal at Abbeville, but were after some trouble allowed to leave the country.

In 1793, after the declaration of war by France, the Countess, to aid in the defence of the country, raised a regiment among her clan, called the Sutherland Fencibles, afterwards embodied in the regular army as the 93rd Sutherland Highlanders. The Countess, on 26 October 1803, became Marchioness of Stafford by her husband's succession to his father the first Marquess of Stafford. A little while before he had also succeeded to the estate of his uncle the last Duke of Bridgewater. It was after this date that the Countess and her husband gradually carried out the improvements they had projected on their estates, making roads, establishing fishing villages, building good cottages, and devising other means to benefit the people. The latter in some places were much opposed to the improvements, but after these were carried out between 1811 and 1826, the thanks of the tenantry were expressed to the Earl and Countess. Between 1811 and 1833 little or no rent was obtained from the estates, while £60,000 was expended on improvements and provisions to aid the tenantry during the failure of their crops. On 28 January 1833, the Marquess was created a Peer of the United Kingdom under the title of DUKE OF SUTHERLAND, but he did not long survive the new dignity, as he died at Dunrobin on 19 July 1833, and was buried in Dornoch Cathedral. The Duchess-Countess, as she was styled, survived him for six years, dying on 29 January 1839, at Hamilton Place, London, whence her remains were carried to Dornoch Cathedral and buried there. She had issue:—

1. George, second Duke of Sutherland.
2. *William*, born 4 June 1792, died 14 September 1793.
3. *Francis Leveson Gower*, born 1 January 1800; he

succeeded, on his father's death, to the property of his granduncle Francis, third Duke of Bridgewater, and in 1833 assumed the surname and arms of Egerton. He was raised to the Peerage as Earl of Ellesmere on 6 July 1846. He was also made a K.G. and D.C.L., and died 18 February 1857. He married, 18 June 1822, Harriet Catherine, eldest daughter of Charles Greville, Esquire, and granddaughter of William Henry, third Duke of Portland. She died 17 April 1766. They had issue.

4. *Henry*, born 17 June 1801, died an infant.
5. *William John*, born 5 May 1803, died 17 June 1804.
6. *Charlotte Sophia*, born 8 June 1788; married, on 27 December 1814, to Henry Charles, Duke of Norfolk, K.G., who died 18 February 1856. She died 7 July 1870, leaving issue.
7. *Elizabeth Mary*, born 8 November 1797; married, 16 September 1819, to Richard, second Marquess of Westminster, K.G., and died 11 November 1891. They had issue.

XXI. George Granville, second Duke and eighteenth Earl of Sutherland, born on 8 August 1786 in London; was educated at Harrow and Christ Church, Oxford. He was M.P. for St. Mawes from 1880 to 1812; for Newcastle-under-Lyne, 1812-15, and for Staffordshire from 1815 to 1820. On 29 November 1826 he was, during his father's lifetime, summoned to Parliament as BARON GOWER. He succeeded his father on 19 July 1833, as Duke of Sutherland, and his mother, as Earl of Sutherland, on 29 January 1839; and on 12 May 1841 he had a royal licence to assume the additional name of Sutherland. He died, aged seventy-four, on 22 February 1861, and was buried at Trentham 9 March same year. He married, 28 May 1823, Harriet Elizabeth Georgiana (born 21 May 1806), third daughter of George Howard, sixth Earl of Carlisle, who survived him, dying, 27 October 1868, at Stafford House. They had issue:—

1. George Granville William, third Duke of Sutherland.
2. *Frederick George*, born 11 November 1832. He held

a commission in the Rifle Brigade, and died of fever off Sebastopol 6 October 1854.

3. *Albert*, born 21 November 1843; became a captain in the 2nd Life Guards. He died on 23 December 1874, having married, on 19 March 1872, Grace, only daughter of Sir Thomas Abdy, Baronet, with issue.
4. *Ronald Charles*, born 2 August 1845. M.P. for Sutherlandshire 1867-74. Trustee of National Portrait Gallery; author and sculptor.
5. *Elizabeth Georgiana*, born 30 May 1824; married, on 31 July 1844, to George, eighth Duke of Argyll. She died 25 May 1878, leaving issue.
6. *Evelyn*, born 8 August 1825; married, on 4 October 1843, to Charles, twelfth Lord Blantyre (*see that title*), and died 24 November 1869.
7. *Caroline*, born 15 April 1827; married, on 30 September 1847, to Charles, Duke of Leinster, and died 13 May 1887, leaving issue.
8. *Blanche Julia*, born 26 June 1830, died 24 February 1832.
9. *Constance Gertrude*, born 16 June 1834; married, on 28 April 1852, to Hugh Lupus, Duke of Westminster. She died 19 December 1880, leaving issue.
10. *Victoria*, born 16 May 1838, died 19 June 1839.
11. *Alexandrina*, born 3 February 1848, died 21 June 1849.

XXII. George Granville William Sutherland, third Duke and nineteenth Earl of Sutherland, born 19 December 1828, was educated at King's College, London, and at Eton. He was elected M.P. for Sutherland in 1852, and sat for that county until 1861. He was made Lord-Lieutenant of the county of Cromarty in 1853 and of Sutherland in 1861. He was also lieut.-colonel of the 1st Sutherland Rifle Volunteers. He was created K.G. in 1864, when he entertained Garibaldi on his visit to England. He took little interest in politics, but was a keen sportsman and traveller, and he promoted the interests of the north of Scotland by contributing largely to the Highland Railway. He died 22 September 1892 at Dunrobin, and was buried at Trentham. He married, first, 27 June 1849, Anne Hay-Mackenzie, only child of John Hay-Mackenzie of Newhall and Cromartie, who, on 21 October 1861, was

created COUNTESS OF CROMARTIE in her own right, with remainder to her second son. (*See title* Cromartie.) She died on 25 November 1888. The Duke married, secondly, 4 March 1889, Mary Caroline, daughter of the Rev. Richard Mitchell, D.D., Hertford College, Oxford, and widow of Arthur Kindersley Blair: she survived him, and married, thirdly, on 12 November 1896, Sir Albert Kaye Rollit. They were separated in 1904. The Duke had issue by his first wife:—

1. *George Granville*, Earl Gower, born 27 July 1850; died 5 July 1858.
2. CROMARTIE, fourth Duke of Sutherland.
3. FRANCIS, who succeeded his mother as Earl of Cromartie. (*See that title.*)
4. *Florence*, born 17 April 1855; married, on 15 November 1876, the Right Hon. Henry Chaplin, M.P. She died 10 October 1881, leaving issue.
5. *Alexandra*, born 13 April 1866, died 16 April 1891.

XXIII. CROMARTIE SUTHERLAND, fourth Duke and twentieth Earl of Sutherland, was born 20 July 1851, in London; became heir-apparent on 5 July 1858, by the death of his eldest brother. He entered the 2nd Life Guards in 1870, from which he retired in 1875. He was M.P. for Sutherland from 1874 to 1886. He succeeded his father on 22 September 1892. He married, on 20 October 1884, Millicent Fanny St. Clair Erskine (born 20 October 1867), daughter of Robert Francis, fourth Earl of Rosslyn, and has had issue.

1. GEORGE GRANVILLE, Marquess of Stafford, born 29 August 1888.
2. *Alastair St. Clair*, lieutenant Lovat Scouts Yeomanry, born 24 January 1890.
3. *Victoria Elizabeth*, born 5 August 1885; died 28 January 1888.
4. *Rosemary Millicent*, born 9 August 1893.

ARMS (recorded in Lyon Register).—Quarterly: 1st, barry of eight or and gules, over all a cross flory sable, for *Gower of Stittenham*; 2nd, azure, three laurel leaves erect or, for *Leveson of Trentham*; 3rd, gules, three claricords or, for

Granville, Earl of Bath, with an augmentation, in a canton gules two lions guardant passant in pale or, for *Normandy*; 4th, argent, a lion rampant gules between three pheons' heads sable, with an augmentation in chief of the arms of Henry the Seventh, France and England, quarterly, of the arms of Lord Strange of Knockyn, gules, two lions passant argent within a bordure engrailed or, and of the arms of Fernando, Earl of Derby, argent, on a bend azure three bucks' heads cabossed or, to mark his grace's royal descent and his claims to the ancient baronies of *Strange of Knockyn* and of *Stanley*; over all, on an escutcheon gules, three stars or within a bordure of the second charged with a double tressure flory counterflory of the field, as a mark of royal descent from the Lady Margaret, daughter of King Robert the Bruce, by special grant; the escutcheon surmounted by an Earl's coronet, for the ancient *Earldom of Sutherland.*

Crests.—First, on a wreath argent and gules a wolf passant argent, collared and chained or; second, on a wreath or and azure a goat's head erased ermine, horned and barbed or; third, on a wreath gules and or a mound, thereon a squirrel sejant cracking a nut, all proper; fourth, on a chapeau gules turned up ermine a lion rampant gules supporting a pheon's head argent; fifth, on a wreath gules and or a cat sejant rampant proper.

Supporters.—Two gowers (wolves) argent, collared and chained or.[1]

Motto.—*Frangas non flectes.*

[J. A.]

[1] The modern *Peerages* give the sinister supporter as a savage wreathed about the temples and waist with laurel, holding in his dexter hand a club resting on his shoulder proper, and supporting with his left hand an antique shield charged with the arms of the ancient family of Sutherland, gules, three mullets or.

SPENCER, VISCOUNT TEVIOT

ROBERT SPENCER, brother of Henry, first Earl of Sunderland, and second son of William, second Lord Spencer of Wormleighton, by Penelope, eldest daughter of Henry Wriothesley, Earl of Southampton, was born at Althorp, and baptized at Brington, co. Northampton, 2 February 1628-29. He was M.P. for Brackley 1661, and was created VISCOUNT OF TEVIOT, in the Peerage of Scotland, 20 October 1685, with remainder to the heirs-male of his body. He died *s.p.* 20 May 1694, when the title became extinct. Admon. with will, dated 14 December 1693, annexed, granted 27 September 1694[1] to his nieces, Margaret and Rachel Spencer, daughters of his deceased brother, William Spencer. He left to his nephew, Robert, Earl of Sunderland, two portraits, one of his grandfather, Robert, first Lord Spencer, and the other of his father, 'both being drawn by the hand of Vandike.' He married Jane, eldest daughter and coheir of Sir Thomas Spencer, fourth Baronet, of Yarnton, co. Oxon., by Jane, daughter of Sir John Garrard, Bart. She died 10 June 1689, aged thirty-two, and was buried at Yarnton, where a monument was erected to her memory. Admon. granted, *P.C.C.*, 25 June 1689, to her husband.

[1] *P.C.C.*, 135 Box. Sentence for validity of this will was pronounced next day.

Creation.—Viscount of Teviot, by patent dated 20 October 1685.

Arms.—Quarterly, argent and gules, in the 1st and 4th quarters a fret or; over all on a bend sable three escallops of the first, a crescent for difference.

Crest.—Out of a ducal coronet or, a griffin's head argent, gorged with a bar gemelle gules, between two wings expanded of the second.

[H. W. F. H.]

LIVINGSTON, VISCOUNT TEVIOT

WILLIAM LIVINGSTON of Gorgie, ancestor of the Earls of Linlithgow,[1] in whose favour there is a resignation of the lands of Musbrig by Hugh of Musbrig, dated the month after the Feast of St. Luke the Evangelist 1334,[2] is designed 'Dominus de Drumry' in a charter by him to the monks of Newbottle, dated 3 March 1338-39.[3] He probably was father of

JOHN LIVINGSTON of Drumry, who entered into an agreement with Symon Chapman, a burgess of Lanark, on 22 August 1364,[4] to whom he thereby wadset the lands of Banks and Breriebanks in Lanarkshire. He is said to have married one of the coheiresses of Sir Michael Wemyss of that Ilk,[5] and had issue

ROBERT LIVINGSTON of Drumry, who was a minor in 1367, when his ward was granted by Isabella, Countess of Fife, to Allan Erskine of Inchmartin.[6] He was father of

SIR ROBERT LIVINGSTON of Drumry, Knight, who succeeded his father about 1400, and on 7 July 1449 had a

[1] Cf. vol. v. 423. [2] *Hist. MSS. Rep.*, Sir Archibald Edmonstone, 77. [3] *Reg. de Newbottle*, 34. [4] *Reg. Mag. Sig.*, fol. vol. 56, No. 170; cf. vol. v. 423. [5] Fraser's *Memorials of the Family of Wemyss*, i. 41. [6] *Ibid.*, 42; ii. 14.

charter from William of Somerville of the lands of Newbigging, to him and Margaret his spouse.[1] He had issue:—

1. *William* of Drumry, who was contracted on 19 November 1428 to marry Euphemia, daughter of David Wemyss of that Ilk. It is doubtful if the marriage ever took place,[2] but he had issue, as

   (1) *Sir Robert* of Drumry and Easter Wemyss, his son, had a charter of the lands of Easter Wemyss and Lochquhorschire on his father's resignation 7 February 1493-94.[3] He had issue:—

   i. *Sir Robert* of Drumry, who as grandson and heir of the late William Livingston of Drumry had a charter of the lands of Hill of Auchinfure and others in Inverkip, Renfrewshire, on 24 September 1511.[4] He married Jonet Betoun, who had a charter with him of the lands of Easter Wemyss on his resignation 19 May 1508.[5] She survived him and married, secondly, in 1516, James Hamilton, Earl of Arran. Sir Robert had an only child *Margaret*, who married, first, Sir James Hamilton of Finnart, and, secondly, John Wemyss of Pittencrieff.[6]

2. James of Newbigging, aftermentioned.
3. *John*, King's Esquire and Usher.[7]
4. *Robert*, mentioned in a safe-conduct 30 October 1458.[8]
5. *Margaret*, married, before March 1448, to Sir John of Wemyss.[9] She was divorced in 1489, and died about 1494.
6. *Isobel*, who was contracted when an infant, on 19 November 1429, to marry John of Wemyss, but the marriage did not take place, and he married her sister.

James Livingston of Newbigging, as son of Sir Robert Livingston of Drumry, was called as a substitute heir in a charter by John Lindsay of Manerstoun, dated 30 August 1457.[10] He died before 1466, when his son John (presumably a mistake for James) is said to have been served heir to him

[1] Carnwath Inventory, Bundle 7, No. 3. [2] *Family of Wemyss*, i. 74. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.* [6] Cf. vol. iv. 361, 362. [7] *Exch. Rolls*, v. 338, 347. [8] *Rotuli Scotiæ*, ii. 389a. [9] *Family of Wemyss*, i. 26. [10] *Ninth Rep. Hist. MSS. Com.*, App. 233.

in a third part of the lands of Newbigging.[1] He was father of

James Livingston, who had a precept of sasine from John, second Lord Somerville, for infefting him in certain lands in Newbigging on 26 November 1466,[2] and sasine of the lands of Brounle and Jerviswod in 1467.[3] He entered protestation against an action before the Lords Auditors on 6 October 1474, on account of the non-appearance of the pursuer Margaret of Balcaskie, spouse to the deceased John of Greenshiels,[4] and on 15 October 1478 he had an action before the Lords of Council against John, Lord Somerville, in reference to the lands of Newbigging.[5] On 23 June 1480 the Lords granted decree against him for payment of £33, 2s. 4d., to Mr. George Carmichael, treasurer of Glasgow, due under his obligation produced.[6]

James Livingston, son and heir-apparent of James Livingston of Jerviswood, was a procurator with others for John Livingstone of Beldstane on 27 January 1502-3 in an action at the instance of John, Lord Ross of Hawkhead, concerning a brief of terce of Marion, Lady Somerville,[7] and as James Livingston of Newbigging, son and heir-apparent of James Livingston of Jerviswood, there is a supplication by John Sinclair, dweller in Lasswade, and Beatrix Fokhart his wife, praying that the Lords ordain him to infeft them in the lands of Wells 7 February 1509-10.[8] He had sasine of the estates in 1512, and a charter under the Great Seal on his own resignation of the lands of Jerviswod and Musbrig, and the lands of Brounle, etc., in Lanarkshire, which were incorporated into a barony 8 February 1512-13.[9] From Sir James Hamilton of Finnart, Knight, he and his son James had a renunciation of the forty-shilling lands of Columbie, in the barony of Carstairs, which were held of the Bishop of Glasgow, in return for which he conveyed to Finnart the lands of Gilmerton, and his son James assigned the marriage of his son William, 3 December 1526.[10] He is said to have married, first, a

[1] *Memorie of the Somervilles*, i. 240. [2] Carnwath Inventory, Bundle 7, No. 6. [3] *Exch. Rolls*, ix. 673. [4] *Acta Aud.*, 36. [5] *Acta Dom. Conc.*, 11. [6] *Ibid.*, 62. [7] *Ibid.*, MS., xi. 161. [8] *Ibid.*, xxi. 128. [9] *Reg. Mag. Sig.*; *Exch. Rolls*, xiii. 663. [10] *Eleventh Rep. Hist. MSS. Com.*, App. 6, Duke of Hamilton.

daughter of Sir James Lockhart of Lee, by whom he had no issue, and secondly, a daughter of James Hamilton of Silvertonhill, and had issue,[1]

James Livingston, younger of Jerviswood, was, with his son William, tenant in the place and lands of Columbie in the barony of Carstairs and diocese of Glasgow 17 August 1543.[2] He married Isobel, daughter of William Cunningham of Bonnington. She was to have an interest in the lands of Columbie during her widowhood. She survived him and married, secondly, William Weir of Stonebyres.[3] He had issue:—

1. William, who succeeded his grandfather.
2. *James*.[4]
3. *Adam*.[5]
4. *Margaret*, married, first, to (Robert) Graham of Westhall,[6] and, secondly, to John Tailziefeir in Normangill.[7]
5. *Isobel*, married to Mungo Inglis of Hinschelwood.[8]

William Livingston of Jerviswood, had a charter of the lands and barony on his grandfather's resignation on 6 March 1548-49;[9] was nominated one of the arbiters in a dispute between the Johnstones and Maxwells, by John Johnstone of that Ilk, in 1574;[10] was sued by Sir William Stewart before the Lords of the Privy Council to deliver the tower, etc., of Columbie, but was ordained to retain the same 6 December 1587.[11] Being old and feeble of wit he had an exemption from attending the army 8 May 1584.[12] He died in April 1601.[13] He married, first, before 1554, Janet Baird, relict of Alan Lockhart of Lee;[14] and, secondly (contract dated 18 March 1563-64), Janet, daughter of John Johnston of that Ilk, and relict of John Carmichael younger of Meadowflat, and of William Weir younger of Stonebyres.[15] Issue by first marriage:—

1. James, his heir.

[1] *Birthbrief, Genealogies*, Lyon Office, i. 97. [2] *Rental Book of Diocese of Glasgow*, i. 195. [3] *Reg. of Deeds*, iii. 82. [4] *Ibid.* [5] *Ibid.*, 81. [6] *Acts and Decreets*, xv. 225. [7] *Reg. of Deeds*, iii. 81. [8] *Ibid.* Licence by Archbishop Bethune 20 December 1558 in which she is called Jonat. [9] *Reg. Mag. Sig.* [10] *P. C. Reg.*, ii. 422. [11] *Ibid.*, iv. 234. [12] *Reg. Sec. Sig.*, iv. 125. [13] *Acts and Decreets*, ccxl. 72. [14] *Ibid.*, viii. 526; see *ibid.*, xxxv. 381. [15] *Ibid.*, 298; *Reg. of Deeds*, v. 58 and xv. 283.

2. *Hugh.*[1]
3. *John.*[2]
4. *Euphame*, married (contract dated 17 July 1575) to Alexander, son and apparent heir of Archibald Baillie of Auldston.[3]

Issue by second marriage:[4]—

5. WILLIAM, aftermentioned.
6. MUNGO, aftermentioned.
7. *Alan*, perhaps of Dunloppie. William Livingston of Jerviswood and Mungo, his brother, were next-of-kin in 1631 to John, eldest son of the deceased Alan Livingston of Dunloppie.[5]

JAMES LIVINGSTON of Jerviswood was served heir to his father in these lands and barony 21 July 1601,[6] and granted a charter of the lands of Cowbelhauche to James Hamilton of Gairen on 22 March 1605.[7] As eldest son of his father he or one of his brothers, Hugh or John, was contracted when very young, on 31 December 1566,[8] to marry Janet Carmichael, his stepmother's daughter by her first marriage, whom failing, Marion or Grizel her sister. He was again contracted to the last mentioned 1 November 1576.[9] He also married Marion Baillie,[10] and is further said[11] to have married Agnes, daughter of Lord Somerville. He left issue:—

1. *Hugh*, who consented to a charter in favour of James Lockhart of Lee.[12] He married Bessie, daughter of William Wilkie of Foulden, widow of Gavin Lockhart, merchant burgess of Lanark.[13] As her future husband he interdicts himself 16 August 1605.[14] He had issue:—
   - (1) *William*, servitor to Mr. Thomas Nicolson, advocate. From him as heir of the late Hugh Livingston of Jerviswood, his father, grandson of James of Jerviswood, and great-grandson of William of Jerviswood, these lands were adjudicated by James Douglas of Morton on 11 March 1634.[15]

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[1] *Reg. of Deeds.*, viii. 461. [2] *Ibid.* [3] *Ibid.*, xiv. 263. [4] *Acts and Decreets*, ccxl. 72. [5] *Ibid.*, ccccxl. 365. [6] *Retours, Lanark*, 28. [7] *Reg. Mag. Sig.*, 29 May 1607. [8] *Reg. of Deeds*, viii. 461. [9] *Ibid.*, xv. 283. [10] *Lanark Sasines, Over Ward*, ii. 210. [11] Birthbrief, Lyon Office, 32, 241. [12] *Reg. Mag. Sig.*, 18 July 1607. [13] Test. of Gavin Lockhart (who died 8 July 1600), Edin. Tests. [14] *Gen. Reg. Inhibs.*, xxxix. 340. [15] *Reg. Mag. Sig.*, 21 June 1634.

He married Bethia, daughter of John Livingston of Kirkland, and had issue two daughters, *Margaret* and *Janet*, both unmarried in 1690.[1]

2. *Agnes*, died unmarried June 1624.[2]

William Livingston of Jerviswood, for whose arrest with many other Livingstons a warrant was granted by King James vi. for the murder of David Forrester, bailie and burgess of Stirling,[3] had a charter from the Crown of the lands of Baitford in the barony of Eckles, Dumfriesshire, on the forfeiture of Mungo and James Eckles of that Ilk, 6 April 1609.[4] On the resignation of his brother James reserving his own liferent, he had a charter under the Great Seal of the barony of Jerviswood 31 May 1611, which lands were adjudicated from him and his son William by James Douglas of Morton 11 March 1634, on whose resignation George Douglas of Peinyerie had a charter[5] 21 June 1634. He married Jean, eldest daughter of Sir James Douglas of Drumlanrig, and had issue:—

1. *William*, who, with his father, consented to the sale of these lands by Douglas of Peinyerie to George Baillie, merchant, Edinburgh, who had a charter under the Great Seal of same 11 July 1636. In 1634 he was about to proceed to Holland. Later he is styled Captain, and he went to England in 1644.[6] He had issue.
2. *James*, abroad in 1633;[7] died before 1647 *s.p.*
3. *Allan*, abroad in 1633;[8] died before 1647 *s.p.*
4. *Janet*, served heir-general to William, her brother, 20 April 1647.[9] She was married to William Grierson of Bargattan.[10]
5. *Martha*.[11] She died before 1647.

Mungo Livingston of Newbigging, married Jean, daughter of John Lindsay of Covington, and had issue:—

1. *William* of Newbigging, married Elizabeth, daughter of James Heriot, brother to George Heriot, and had issue:—

[1] Birthbrief, Lyon Office. [2] Lanark Tests., 25 July 1625. [3] *Hist. MSS. Com. Rep.*, Earl of Mar and Kellie, 44. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *Reg. of Deeds*, dliv. 408. [7] *Ibid.*, ccccIxx. 473. [8] *Ibid.* [9] *Retours.* [10] *Reg. of Deeds*, dliv. 408. [11] *Ibid.*, ccccIxx. 473.

(1) *Alexander*, served heir to William his father, son of Quentigern (Mungo), portioner of Newbigging, on 16 January 1640.[1] He had a precept of clare constat as heir of James, his father's brother, 25 January 1648.[2] He entered the Army, and was major of a regiment of Horse. He married Mary Livingston, natural daughter to Alexander, eighth Earl of Linlithgow, and had issue :—

i. *Alexander*, lieutenant in the Scots Regiment of Guards, retired before 1 October 1691, and died in the Canongate 27 November 1702.[3] He married, first, Marion, daughter of George Monteith, merchant, Edinburgh, and secondly, 12 March 1691, Ann, daughter of John Livingston, merchant, Edinburgh,[4] and had issue :—

(i) *Alexander*, only son, writer in Edinburgh, afterwards ensign in Brigadier Hacket's Regiment; died at Dandermount in Flanders in April 1741.[5] He married Ann Nairn, sister to John Nairn, merchant, Edinburgh.

i) *Mary*, died unmarried, at King's Stables, Edinburgh 5 April 1744.[6]

(iii) *Isabel*, married to Captain George Gordon in Colonel de Vilage's Regiment.

2. *James*, second son, infeft in Newbigging 1625.[7] He died *s.p.* before 1648 (*vide supra*).
3. THOMAS.

THOMAS LIVINGSTON entered the Army and was in Colonel Sir William Briggs's Regiment in 1622, went into the service of the States General of Holland 1635, was sergeant-major of Kirkpatrick's Regiment 6 September 1639 and 1649, became lieutenant-colonel 11 June 1660, and in Kirkpatrick's Regiment 1665. He was created a Baronet 29 June 1627, had sasine of lands in Nova Scotia in March 1629, and was dead before 19 July 1673. He married a daughter of Colonel Edmond, a distinguished soldier whose father was a baker in Stirling, and with whom he got a considerable estate. He had issue :—

1. THOMAS.
2. *Sir Alexander*, third Baronet, entered the army of the States General, was captain in Balfour's Regiment, Scots Brigade, 10 May 1679; taken prisoner at Landen;

[1] *Retours General*, 2470. [2] *Gen. Reg. Sasines*, lviii. 131. [3] Edin. Tests., 19 August 1729. [4] Edin. Mar. Reg. [5] Edin. Tests., 27 November 1741. [6] *Ibid.*, 10 August 1744. [7] *Lanark Sasines, Over Ward*, ii. 228.

lieutenant-colonel of the Cameronian Regiment 1 September 1693, battalion colonel 15 August 1704, but sold his commission, retaining his captaincy, on 24 October 1705, placed on half-pay 13 May 1713. He was wounded at Blenheim, was served heir to his brother Thomas, Lord Teviot, in the lands of Waughton in Haddingtonshire and Abbotshall in Fifeshire 8 May 1711. In 1702 he purchased the estate of Lethington from the Earl of Lauderdale at twenty-three years' purchase. He died in Holland in 1718.[1] He married Sara Tyllings, daughter of a great merchant in Amsterdam, and had issue:—

(1) *Catherine Elizabeth*, married Matthew Le Stevenon van Birkenrode, Burgomaster of Amsterdam, and had issue a son *Matthew*, who took out a birthbrief from the Lyon Office on 20 August 1764.

(2) *Janet*.

I. Sir Thomas Livingston, second Baronet, born in Holland about 1651, entered the service of the Prince of Orange as ensign in Lieut.-Colonel Livingston's company, appointed captain 19 July 1678, sergeant-major 5 December 1678, and lieutenant-colonel of Balfour's Regiment 16 February 1684. In 1682 he was sent over to Scotland on a recruiting expedition. He accompanied William of Orange to Britain, was appointed colonel of the Royal Scots Dragoons (Scots Greys) 31 December 1688, served in the Scottish campaign under General Hugh Mackay, commanded at Inverness, and defeated the Jacobite army under Generals Thomas Buchan and Cannon at the Haughs of Cromdale on 1 May 1690. He shortly thereafter was sworn a member of the Privy Council, succeeded General Mackay as Commander-in-chief in Scotland, and as such was exonerated from all blame in connection with the massacre of Glencoe on the ground that he had carried out his orders in ignorance of the real circumstances of the case. On 1 January 1696 he was made major-general; on 1 January 1698 he had the same rank in the English Establishment; in 1697 he commanded a brigade in the Netherlands, and became lieutenant-general 11 January 1703. He was gazetted colonel of the Scots Greys 16 August 1703, but

[1] Will proved December 1718.

sold his commission 7 April 1704. In recognition of his services he was created VISCOUNT TEVIOT AND LORD LIVINGSTON OF PEEBLES, with remainder to the heirs-male of his body, by patent dated 4 December 1696. On 20 April 1697 Lord William Douglas was created Earl of March and Viscount Peebles, to which latter title Lord Teviot objected, but the Queensberry influence being all-powerful, he was ordained to change his title. A second patent was therefore issued to him on 30 March 1697, with a blank for the second title, and he substituted Hyndford for Peebles, and was granted the precedence of the former patent. He had charters of the lands of Lethington on 22 June 1702, and of the lands of Waughton 26 July 1709, both on his own resignation.[1] He was the author of the *Exercise of the Foot, with the Evolution according to the words of Command, etc., etc.*, 1693, a scarce work. He died at London on 14 January 1711,[2] and was buried in Westminster Abbey, where there is a monument erected to his memory by his brother Alexander. He married a Dutch lady, Macktellina Walrave of Nimeguen, but had no issue. Their married life was not a happy one, and she sued him in the Scottish Courts for £500 to pay her debts, contracted since he left her, and aliment at the rate of £400 a year. The Lords recommended him under the circumstances of the case to pay her bygone debts and to settle somewhat upon the lady yearly in time coming.[3] She was accused of poisoning him, but was acquitted. She died 2 December 1729.

Creations.—Viscount Teviot and Lord Livingston of Peebles, 4 December 1696; Viscount Teviot and Lord Livingston of Hyndford, 30 March 1697.

Arms (recorded in Peers' Arms ms., Lyon Office).—Quarterly: 1st and 4th, azure, three oranges slipped proper within an orle of thistles or; 2nd and 3rd, argent, three cinquefoils gules within a double tressure flory counter-flory vert.

Crest.—A demi-man proper, holding a baton upward or

[1] *Reg. Mag. Sig.* [2] Will dated 27 September 1710, proved 1 March 1711.
[3] Fountainhall's *Decisions*, ii. 200.

in his dexter hand and a serpent entwined round his sinister arm, also proper.

Supporters.—Dexter, a savage wreathed about the head and middle with laurel, holding a baton in his left hand with its head downward or; sinister, a horse argent, furnished gules.

Motto.—*Ce que je puis.*

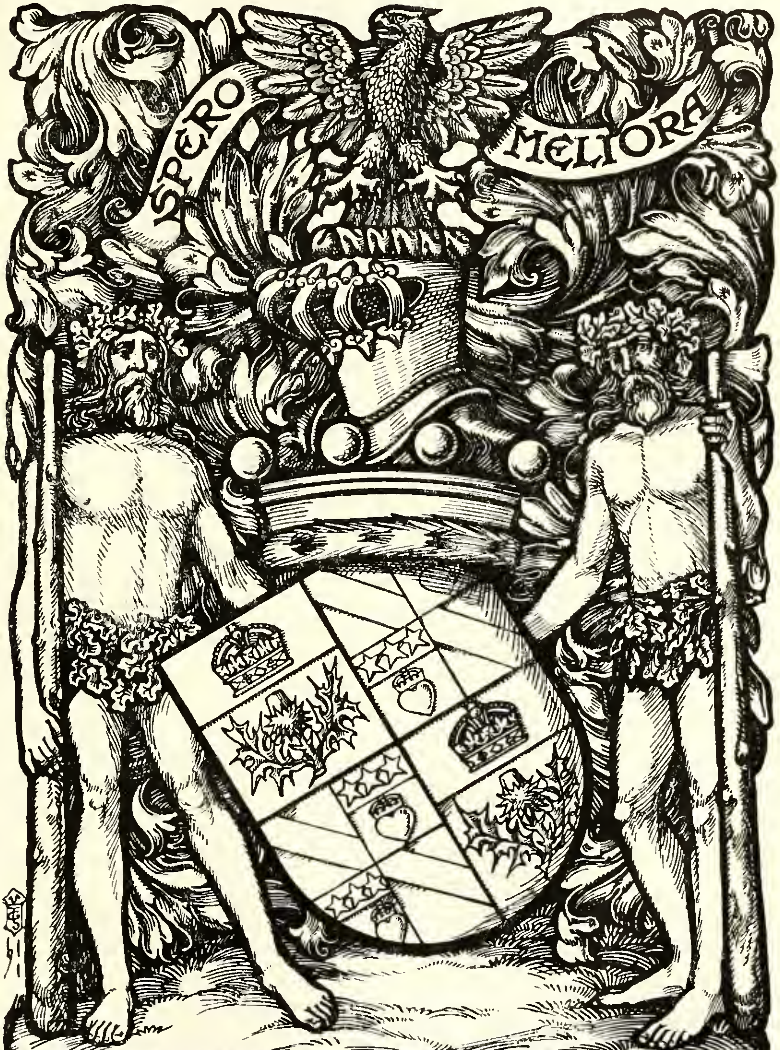
[F. J. G.]

SANDILANDS, LORD TORPHICHEN

SANDILANDS as a surname is derived from the lands of Sandilands in the upper ward of Clydesdale, which, together with the lands of Reidmyre, were confirmed to James of Sandilands by William, Lord Douglas, 18 December 1348.[1]

Sir James of Sandilands, the first of the name on record, obtained a charter of lands in the county of Peebles from King David II., 6 October 1345,[2] and further grants from the same monarch of the barony of Wiston, in Lanarkshire, and the castlewards of the same.[3] He was one of the attendants chosen by William, Lord Douglas, to accompany him to London in 1347, in the train of David II. On 2 October in that year King Edward III. granted safe-conduct for James of Sandyland with two others to come to England, bringing necessaries to Sir William Douglas of Liddesdale, then a prisoner in the Tower of London;[4] and in April 1348 there is a permit for Sir James of Sandylandes and Andrew of Ormistoun, being then in London, to return to their country and come back if need be, with four companions on horseback.[5] In the month of August, King David petitioned the English Chancellor for an extension

[1] Torphichen Charters; *Douglas Book*, ii. 392. [2] Torphichen Inventory. [3] Robertson's *Index*, 38. [4] *Rotuli Scotiæ*, i. 706. [5] *Cal. Doc. Scot.*, ii. 1527.



Torphichen

of time, saying that the late Chancellor had granted a safe-conduct for some of his people to bring him sustenance, the duration of which was nearly expired, and begging that it might be prolonged for James of Sandilandes and others of his people to come to him wherever he is in England until Pentecost next to come.[1] On 22 October 1348, Sandilands was again despatched from London to Scotland, in company with Maurice Cowal, as bearer of the King's letters of truce and cessation from hostilities;[2] and on 22 June 1349, he had another safe-conduct to travel to London to wait upon William of Douglas, still a prisoner in the Tower.[3] The barony of Wester Calder and the lands of Bengowre (Bangour), co. Edinburgh, were bestowed upon him by William, Lord Douglas, in free marriage with Eleanor de Bruce his sister, to be held to them and their heirs as freely and amply as the said Douglas held them of Duncan, Earl of Fife. The charter is undated, but must be about the year 1346.[4] The grant was confirmed by Duncan, Earl of Fife, by a charter to which his seal is appended, some time in the year 1350,[5] and there are several ratifications of the transaction by King David II., the first of which was made at Dundee 15 May 1351.[6] In consequence of this marriage the Douglas arms have ever since been quartered by the Lords of Calder; and it has indeed been pointed out that on the failure of the older legitimate line, the Sandilands became in law heirs-general of the house of Douglas.[7] On 2 Kal. June 1350 Pope Clement VI. granted an indult to James of Sandilands and Eleanor his wife, of the diocese of Glasgow, to choose confessors in the usual form.[8] Sir James Sandilands died in 1358, and his widow had a safe-conduct for herself and four maids, with ten horses, to pass to the parts of England on a pilgrimage to the shrines of the saints, dated at Westminster 14 May 1358.[9] He married

[1] *Cal. Doc. Scot.*, iii. 1540. [2] *Rotuli Scotiæ*, i. 723-724. [3] *Ibid.*, 729. [4] *Douglas Book*, iii. 15. [5] *Ibid.*, 393. [6] *Ibid.*, 394. A second confirmation by the same monarch is dated at Breychyne 28 February 1353-54, seal wanting; and a third, which has the seal appended, though imperfect, is dated at Edinburgh 20 January 1357-58 (*ibid.*). There is also in Lord Torphichen's Charter-chest a deed by William, Lord Douglas, confirming all his charters and letters at any time made to Sir James of Sandilands and Eleanor de Bruce, the granter's sister, not dated, but *c.* 1349; *ibid.*, 359. [7] See M'Call's *Midcalder*, 56. [8] *Cal. Papal Letters*, iii. 401. [9] *Rotuli Scotiæ*, i. 824.

Eleanor, only daughter of Sir Archibald Douglas, Regent of Scotland, and relict of Alexander Bruce, Earl of Carrick, who was slain at Halidon Hill 1333; and by her, who married, thirdly, William Towers of Dalry;[1] fourthly, Sir Duncan Wallace of Sundrum;[2] and fifthly, in 1376, Sir Patrick Hepburn of Hailes,[3] had two sons, namely:—

1. Sir James, of whom after.
2. *Patrick*, at St. Andrews, a witness 1 November 1385. He obtained from Pope Clement vii. a dispensation to intermarry with Isabella, relict of John de Lyndissoun (Lindsay), John having been related to Patrick in the third degree of kindred. At Avignon 2 Non. June 1383.[4]

Sir James Sandilands of Calder had permission from Edward iii., 5 June 1358, granted at the request of Queen Joanna, the King's sister, to come from Scotland into England for the purpose of pursuing his studies at Durham.[5] His name occurs in various charters of Robert ii. That monarch, on 22 October 1373, granted to Duncan Walays, Knight, and Elianor de Bruys, Countess of Carryk, his wife, various baronies and lands on the resignation of the said Duncan, which were now to be held to Duncan and Elianor and the longest liver of them and the legitimate heirs of Duncan; whom failing, then to James of Sandylandys and his heirs.[6] The same lands were granted by King Robert, 20 November 1384, to James Sandylands, Knight, upon his own resignation, to be held by him and Joanna, the King's dearest daughter, and their heirs.[7] A charter of 24 May 1385, granting to him 40s. sterling payable for the Castleward of the barony of Calder, is similarly directed to his beloved son James Sandilands, Knight, and Jean his wife, our dearest daughter, and the heirs legitimately begotten between them;[8] and in the reign of Robert iii. the barony of Dalzel was granted to George Dalzel, on the resignation of James Sandilands, the King's good-brother, 5 June 1397.[9] On 19 June 1389 licence was granted by Richard ii. of England for Sir James Sandi-

[1] *Exch. Rolls*, ii. 165. [2] *Reg. Mag. Sig.*, i. 75, also *Douglas Book*, iii. 395. [3] *Cal. Papal Letters*, iv. 222. [4] *Ibid.*, iv. 247. [5] *Rotuli Scotiæ*, i. 825, 826. [6] *Reg. Mag. Sig.*, at date. [7] *Ibid.* [8] *Douglas Book*, iii. 399. [9] *Laing Charters*, No. 83, also Robertson's *Index*, 139.

lands to come to his court with a retinue of forty men, armed or unarmed, and also special protection and warrandice for his lands of Caldor, Dalyel, 'les Sandylans,' the barony of Erth, Kingorn in Fife, etc.[1] As Sir Malcolm Drummond had at the same time special protection for his lands—Douglas lands brought to him with Isabella, Countess of Mar—with leave to come to the King of England, it is probable that the matter concerned the Douglas succession. Another safe-conduct for Sir James Sandilands to pass through England with sixty persons of Scotland in his train is dated at Westminster 22 October 1392.[2] He was prevailed upon, for some consideration which does not appear, to renounce his prospect of succession to the unentailed Douglas estates in favour of George, Earl of Angus; and, by deed of 15 May 1397, he committed the castle and barony of Calder to the temporary custody of the same nobleman, who is named tutor of his son and heir after the granter's decease.[3] This was confirmed by King Robert 9 November 1397. He married, in 1384, the Princess Jean, or Joanna, lawful daughter of Robert II. and widow successively of Sir John Keith and Sir John Lyon of Glamis,[4] the King's secretary, and afterwards Chamberlain, assassinated in 1382. He had a son,

Sir James Sandilands of Calder, who was paid £6, 13s. 4d. from the customs of Inverkeithing in 1406,[5] and he witnessed two charters of Robert, Duke of Albany in the years 1407 and 1409 in which he is called the Duke's nephew.[6] There is also a grant by George, Earl of Angus, obliging himself to infeft Sir James Sandilands in 200 merks of the great customs of Haddington, 11 September 1409.[7] Sir James was one of the hostages for King James I. when he was allowed to visit Scotland 31 May 1421;[8] and there is a safe-conduct under letters patent of Henry VI. for Sir James Sandilands of Calder and retinue, to the number of twenty persons in all, to meet James, King of Scots, in the city of Dur-

[1] *Cal. Doc. Scot.*, iv. 391. [2] *Rotuli Scotiæ*, ii. 116. [3] *Douglas Book*, iii. 37, 39, and 42; Robertson's *Index*, 139 and 144. [4] *Fourteenth Rep. Hist. MSS. Com.*, App. iii. 180; Fraser's *Red Book of Menteith*, i. lxxxi. [5] *Exch. Rolls*, iv. 5. [6] *Reg. Mag. Sig.*, fol. vol., 232 and 241. [7] *Douglas Book*, iii. 49. [8] *Fœdera*, x. 125, 309, 328.

ham, dated at Westminster 3 February 1423-24.[1] On 28 March following James, Lord of Calder, one of the hostages for the King's ransom, was delivered to the nine English ambassadors at Durham, he engaging for 400 merks;[2] and on 21 May 1424 King Henry VI. ordered Sir Richard Hastyngs, Knight, Constable of Knaresboro, to deliver James, Lord of Calder, and the other hostages under the treaty with the King of Scots, to Robert Scot, Lieutenant of the Tower of London.[3] James Sandilands, the Lord of Calder, asked for safe-conduct for his servants and friends to accompany him to London July 1424;[4] and on 3 December 1425 there was another safe-conduct for his servants to visit Scotland. He was deceased before 7 December 1426, when confirmation was given of a charter by Murdac, Duke of Albany, conceding to James de Sandilands of Calder and to Jonet his wife the lands and barony of Erthbisset, co. Stirling, at Stirling 4 February 1421-22. His wife does not appear to be otherwise mentioned in the records. He had two sons:—

1. JOHN, who succeeded.
2. *James*, who witnessed a charter 7 July 1434, and was assassinated along with his nephew, near Dumbarton, 21 August 1451.

SIR JOHN SANDILANDS of Calder was infeft in the lands and barony of Calder on a precept from the Earl of Douglas in 1437. He had remission of the customs of six sacks of wool, equal to £8 in value, from the customs of Linlithgow, in 1446;[5] and on 14 July 1455, he had seisin of the lands of Davidstoune.[6] On 2 August in the same year John Sandilands, designed of that Ilk, had seisin of the barony of Erthbisset, and paid for his relief £13, 6s. 8d.[7] Nisbet mentions a charter of the year 1466, granted by this baron to James, his eldest son and apparent heir, and to Margaret the wife of James; and on 3 July 1471, it is said that the Lord of Calder had refused to give seisin to Gawin of Levingstoune of the lands of Murishill within the barony of Calder.[8] He is mentioned, together with his son and grandson, in the years 1478 and 1481,[9] and he appears as defender in a civil cause in the month of December 1482. He is said to have

[1] *Cal. Doc. Scot.*, iv. 942. [2] *Ibid.*, 952. [3] *Ibid.*, 960. [4] *Ibid.*, 970. [5] *Exch. Rolls*, v. 268. [6] *Ibid.*, vi. 91. [7] *Ibid.*, 99. [8] *Ibid.*, viii. 27. [9] *Reg. Mag. Sig.*

married Christian Dundas, daughter of James Dundas of Dundas, and he had two sons, viz.:—

1. *John*, assassinated near Dumbarton 21 August 1451, when twenty years of age, together with his uncle James Sandilands, by Patrick Thornton, a secret favourer of the Douglas faction, who was apprehended and executed after trial.
2. James, who succeeded.

Sir James Sandilands of Calder, fiar of Calder in 1466 and 1478, was still 'son and appearand heir of Schir John Sandilandis, lord of Caldour,' in 1482, but he sat in Parliament as a baron in 1487, and had seisin as his father's heir 23 December 1488.[1] He had charters from his father of the lands of Torphin 27 August 1450, and to himself and Margaret, his spouse, of the lands of Methil and Litil Harwode and others 6 June 1466.[2] There is a charter by John Kinloch of Cruvie, dated at Inverkeithing 3 July 1478, which concedes certain lands in Fife to his grandson John de Sandilands, son and apparent heir of Sir James Sandilands, Knight, who is son and apparent heir of Sir John Sandilands, Lord of Calder, Knight, the liferent of one-half the said subjects being reserved to the granter and of the other half to the said Sir James Sandilands and to Margaret Kinloch, his wife, and to the longest liver of them.[3] On 7 May 1489 the King's letters were directed to the Laird of Calder and others to warn them to come to ride with the King;[4] and the King confirmed to James Sandilands of Calder, Knight, and to Margaret Ker his wife, the lands of Erthbissat, Slamannan, etc., 14 July 1489.[5] Sir James died before 1505, when James Sandilands of Cruvie was served heir to him in Petlair and other lands.[6] He married, first, Margaret, daughter of John de Kinloch of Cruvie. The dispensation for their marriage, dated 25 July 1463, states that being in the fourth degree of consanguinity they had contracted marriage *pro verba de futuro*, and had begotten children;[7] secondly, Margaret, daughter of Andrew Ker

[1] Protocol Book of James Young, Edin. City Chambers. [2] Ms. Adv. Lib., 35, 4, 16, vol. i. 247, 248. [3] Confirmed 23 January 1478-79, *Reg. Mag. Sig.* [4] *P. C. Reg.*, at date. [5] *Reg. Mag. Sig.* [6] Scrimgeour Inventory. [7] Mugdrum Charters.

of Altonburn, who survived him and was, in 1509, wife of William, Earl of Erroll. She died some time before 9 July 1532, when her sons Mr. Peter and James are named as her executors.[1] By his first wife he had issue:—

1. JOHN, of whom afterwards.
2. *Christian*, married, first, to David Hepburn of Wauchton, with whom she had a joint charter in 1498.[2] On 10 November 1493 they granted an annualrent of 20s. to the Black Friars of Edinburgh;[3] secondly, to Andrew Anstruther of that Ilk, who was slain at Flodden 9 September 1513.

By his second wife he had issue:—

3. *James* of Cruvie,[4] ancestor of Sir James Sandilands of St. Monans, created LORD ABERCROMBIE.[5] His father had bestowed upon him the Calder estates, but in 1509 he resigned these in favour of his nephew, receiving in exchange the lands of Cruvie, etc.[6]
4. *John*, to whom his brother, Mr. Peter, was infeft as heir in the lands of Gartcarron in Lennox 10 May 1521.[7]
5. *Mr. Peter*, mentioned above in 1521. Rector of Calder on 30 March 1526, when he witnessed a charter of Andrew Oliphant of Berridale.[8] Commenced the rebuilding of Calder Parish Church before 1541, the completion of which he entrusted to his nephew;[9] he was living on 5 April 1546, but died before 4 May 1549, when James Sandilands of St. Monans, his brother's son, was served his heir.[10]
6. *Margaret*, married, first, to Robert Bruce of Auchinbowie, a burgess of Stirling in 1506 and 1508,[11] and secondly, before 10 July 1525,[12] to Lawrence, third Lord Oliphant.
7. —— a daughter, married to William Dishington, fiar of Ardross. There is an interdiction between William, son and heir of George Dishington of Ardross, and Mr. Peter Sandilands, parson of Caldour, mother's brother

[1] *Acta Dom. Conc. et Sess.*, i. f. 58. [2] *Reg. Mag. Sig.* [3] Cal. Ed. Reg. Ho., iv. 581. [4] *Acta Dom. Conc. et Sess.*, i. 15. [5] See title *Abercromby*, i. 75. [6] *Reg. Mag. Sig.* [7] Protocol Book of J. Fowler, Edin. City Chambers. [8] *Reg. Mag. Sig.*, 20 May 1526. [9] *Acta Dom. Conc. et Sess.*, xviii. 24. [10] Protocol Book of Henry Elder, 514, Perth City Chambers. [11] *Reg. Mag. Sig.* [12] *Oliphants in Scotland*, 55, No. 112.

of Paul Dishington, his son and apparent heir, 28 July 1542.[1]

JOHN SANDILANDS, fiar of Calder, the eldest son, is mentioned 3 July 1478.[2] There is another charter, also executed during the lifetime of his grandfather, whereby James Scrimgeour, Lord of Dudhope, grants to John de Sandilands, son and apparent heir of Sir James Sandilands, son and apparent heir of Sir John Sandilands, Lord of Calder, and to Elizabeth Scrimgeour, the granter's daughter, and spouse of the said John Sandilands, junior, half of the two parts of the lands of Southbello, co. Perth, dated at Edinburgh 15 October 1481.[3] This John Sandilands died before 13 February 1493-94.[4] He married, as above, Elizabeth, daughter of James Scrimgeour, Lord of Dudhope and Constable of Dundee, by whom she had:—

1. SIR JAMES, who succeeded.
2. *Alison*, married to Sir Alexander Boswell of Balmuto. They jointly had a charter of the lands of Balglelly, 28 April 1508,[5] and he fell at Flodden 9 September 1513. She was living in 1531, when she was still his widow.[6]

SIR JAMES SANDILANDS of Calder was born about the year 1482. On 7 May 1509 he resigned the Cruvie estates to James Sandilands his uncle, reserving a certain portion to Marion Forester, his own wife, during the life of Margaret Ker, Countess of Erroll, formerly spouse of his late grandfather Sir James Sandilands of Calder.[7] With Marion Forester his wife he had various charters of lands, namely on 23 August 1510, 17 June 1512, and 4 May 1513.[8] The King dined with Sir James Sandilands on 2 July 1526, and on that day granted a remission to him and thirteen others for the slaughter of James Somervile.[9] On 30 April 1527 he had a letter ratifying the licence previously given him to pass for the completing of his pilgrimage at Rome.[10] On 13 March 1541 he had a remission for the treasonable resetting of Archibald Douglas of Kilspindy, traitor.

[1] *Acts and Decreets*, i. 84. [2] *Ut supra.* [3] *Reg. Mag. Sig.*, 13 January 1490-91. [4] Style Book of James Young, Canongate, Edin. City Chambers. [5] *Reg. Mag. Sig.* [6] *Acta Dom. Conc.*, xliii. 108. [7] *Reg. Mag. Sig.*, 7 July 1509. [8] *Ibid.*, at dates. [9] *Accounts, High Treas.*, v. xxvii; Pitcairn, i. 237. [10] *Reg. Sec. Sig.*, at date; Pitcairn, i. 240.

In 1555 he was, along with John Wemyss of Wemyss, deputed by the barons to remonstrate with the Queen-Regent upon her proposal to levy a tax for the purpose of employing a standing army of foreign mercenaries for the defence of the kingdom, and to represent that it was ignominious to do so, as though they were not able to defend the country themselves, as their ancestors had done.[1] In 1558 he was again chosen to solicit the aid of the Queen-Regent to the Reformation, of which he had been an ardent supporter. He died in the month of December 1559, his testament-dative being recorded 24 November 1567.[2] He married, before February 1507-8, Marion, only daughter of Archibald Forester of Corstorphine, relict of Sir William Drummond of Kincardine, Master of Drummond. By her, who died in March 1562,[3] he had issue:—

1. *John*, of whom later.
2. JAMES.
3. *Alison*, married to John Cockburn of Ormiston, a zealous promoter of the Reformation. She is mentioned in a charter of Ormiston 5 February 1544-45;[4] survived her husband, and died 21 October 1584.[5]
4. *Margaret*, married, first, to Sir James Dundas of Dundas,[6] with whom she had a charter of lands 28 June 1551.[7] He died in 1553; she was married, secondly, in 1560, as his second wife, to William Wauchope of Niddry Marischal.[8]
5. *Agnes*, married to James Drummond, whom King Henry VIII. recommended to Governor Arran for the Secretaryship 13 March 1542-43.[9]

I. JAMES, second son of the preceding. Upon the death of Sir Walter Lyndsay, Preceptor of Torphichen Priory and chief of the Order of St. John of Jerusalem in Scotland, he was succeeded by James Sandilands in that office. He was a member of the Privy Councils of Queen Mary, of the Regent Moray, and of James VI., and was present at the coronation of the last named 29 July 1567;[10] was dispatched upon an embassy to Mary of Guise, and again in 1559 to

[1] Lesley's *Hist.*, 254. [2] Edin. Tests. [3] *Ibid.* [4] *Reg. Mag. Sig.* [5] Edin. Tests.; *Edin. Com. Decreets.* [6] *Acts and Decreets*, xlix. 112. [7] *Reg. Mag. Sig.* [8] Edin. Tests., *anno* 1567; *Edin. Com. Decreets.* [9] *Hamilton Papers*, i. 461, 492, and 563. [10] *P. C. Reg.*, i. 537.

the court of France. Having embraced the principles of the Reformation, he resigned the property of the Order into the hands of Queen Mary, who was pleased to allow him to retain as personal honours 'all the privileges, dignities, offices, and regalities in old time possessed by the said James or his predecessors in the Preceptorship of Torphichen'; and to confer upon him all the possessions which had formerly belonged to the knights on payment of 10,000 Crowns of the Sun and an annual feu-duty of 500 merks, erecting the same into the temporal lordship of Torphichen, at Edinburgh 24 January 1563-64.[1] Though his new title is not named in this charter, it was accepted in 1606 as the sole evidence creating the lordship and carrying with it the dignity of LORD TORPHICHEN, which designation he bore from the date of the writ. He was ranked as from the date of the charter.

Sir James Sandilands, the first Lord Torphichen of this creation, married Janet, daughter of William Murray of Polmaise, and dying without issue at Hallyards, 29 September 1579, was succeeded by his grand-nephew James Sandilands of Calder. On 8 June 1573 the Lords of Council issued letters of summons against James, Lord Torphichen, and Jean Murray his wife to answer a charge of having 'certaine houshold stuff, guidis and geir,' sometime pertaining to the Queen, and now to the King her son, in their possession.[2] The portrait of Lord Torphichen is at Calder House. His widow was married, secondly, to John Grahame of Hallyards, Senator of the College of Justice;[3] thirdly, 3 May 1596, to Sir Peter Young of Seaton, preceptor and almoner of King James VI. She died 29 November 1596.[4]

John Sandilands of Calder, elder brother of the last named, was concerned in various grants of lands between the years 1531 and 1553, in all of which he is called fiar of Calder.[5] He granted a charter of the lands and barony of Calder Comitis with mansion, manor, etc., and advowson of the church and chapel there to James his son and

[1] *Reg. Mag. Sig.* [2] *P. C. Reg.*, xiv. 326. [3] *Ibid.*, iii. 671. [4] Edin. Tests., 1602. [5] *Reg. Mag. Sig.*, 12 May 1531; 30 May 1540; 9 January 1543-44; 19 December 1552; 29 November 1553.

apparent heir, reserving liferent to James Sandilands of Calder, Knight, father of the granter, and to himself, at Calder, 8 March 1552-53, and confirmed at Edinburgh 12 May 1567, by which time John was deceased.[1] He was a promoter of the Reformation, and when Wishart was taken prisoner by the Earl of Bothwell in 1546, Sandilands was warded in Edinburgh Castle for being found in his company.[2] He had licence from the Governor to pass to the parts of France, and there remain a certain space, 29 September 1546.[3] He was present at the conflict between the Scots and the English on Ancrum Moor 27 February 1544-45, and the Earl of Shrewsbury in reporting the affair to Henry VIII. declares himself to be credibly informed that the young Laird of Calder, (who was a man of good reputation in Scotland) was slain, along with diverse others of the Scottish party[4]—but this was a mistake; he lived to support the Earl of Argyll and Lord James Stewart in the defence of the city of St. Andrews against the party of the Queen in June 1559; and he died in or about the year 1565. His portrait is preserved in the family collection. He married, first (charter in implement of marriage-contract 17 October 1524[5]), Margaret, daughter of Sir Robert Bartoun of Over Barnton, High Treasurer for Scotland; she was living 19 December 1552;[6] secondly (contract 24 May 1560[7]), Jean (or Johanna), daughter of John, Lord Fleming, relict of John, Master of Livingstone, who ultimately espoused as her third husband David Crawford of Kerse. By his first wife, Margaret Bartoun, he had issue:—

1. JAMES, of whom hereafter.
2. *Margaret*, married (contract 27 March 1574) to Henry Drummond of Riccarton.[8]
3. *Eupham*, mentioned in her grandfather's confirmed testament 1567.[9]

By his second wife, Jean Fleming, he had issue:—

4. *Sir James* of Slamannan, who is specially designed eldest son begotten betwixt John Sandilands of Calder and Johanna Flemyng, his wife, in a Crown

[1] *Reg. Mag. Sig.* [2] Pitcairn, i. 333*. [3] *Ibid.* [4] *Hamilton Papers*, ii. 574. [5] *Reg. Mag. Sig.*, 20 October 1524. [6] *Ibid.* [7] *Reg. of Deeds*, vii. 94. [8] *Ibid.*, xiii. 68. [9] Edin. Tests.

charter of the lands of Slamannan, etc., 27 May 1563.[1] He was present with James VI. at Holyroodhouse in December 1591, when Bothwell attempted to capture the person of the King, and he took an active part for the protection of his Majesty.[2] He was Captain of Blackness Castle in 1592;[3] and in the following year is styled Master, Knight, Gentleman of the Chamber.[4] He married, first, Jean Craufurd,[5] who was mother of his eldest son *Sir James*, afterwards of Slamannan; secondly, Barbara Napier,[6] who was his wife in 1602,[7] and by whom he had further issue *John*,[8] *Frederick*, and *Elizabeth*.

5. *Mary*, married (contract 15 July 1586) to Joseph Douglas of Pumpherston, and had issue.[9]

Sir James Sandilands of Calder, the eldest son, was charged with many others, in the month of March 1565-66, 'to compeir before the King and Quenis Majesteis' to answer to 'sic thingis as salbe laid to thair charge touching the murther of David Riccio,' for not doing which he was denounced a rebel.[10] He was present at the Convention held at Edinburgh 14 February 1569-70, being the day of the Regent Moray's funeral.[11] In July 1573 James Sandilands of Calder was cautioner for Captain Diones Pentland, who had raised 300 soldiers for service in the Low Countries, that he should 'observe certain conditions and commit no oppressioun, nor serve with papists againis the protestantis professouris of the Evangel of Jesus Chryst, under the pain of 500 merkis.' He died intestate at Edinburgh 17 February 1576-77.[12] He married Jean, daughter of James, fourth Lord Ross, and by her, who married, secondly, in 1580, Harry Stewart of Craigiehall,[13] had

1. James, of whom below.
2. *Elizabeth*, to whom James, Lord Ross, was appointed tutor-dative by the King 17 July 1578,[14] and who

[1] *Reg. Mag. Sig.* [2] Spottiswoode's *Hist.* [3] *Reg. Mag. Sig.*, 2 December 1595. [4] *P. C. Reg.*, v. 39. [5] *Reg. of Deeds*, lxvii., 31 May 1599. [6] *Gen. Reg. Inhibs.*, 1st ser., xx. 100. [7] *Reg. Mag. Sig.*, 8 May 1605. [8] *Edin. Sasines*, ix. 257. [9] Protocol Book of A. Lawson. [10] *P. C. Reg.*, xiv. 19. [11] *Ibid.*, 32. [12] Edin. Tests. [13] *Reg. of Deeds*, xviii. 48. [14] Orig. Edin. Reg. Ho.

was married to John Mowbray, son of John Mowbray of Barnbougle.

II. James Sandilands of Calder, second Lord Torphichen of the name of Sandilands, was born about 1574, and succeeded to the Peerage on the death of his great uncle in 1579. Harry Stewart of Cragiehall is mentioned as 'tutor of Calder'[1] on 5 April 1581, when he found caution that he should deliver up the fortalice of Calder, then in his possession,[2] when required. He was still tutor on 29 March 1585, but must have died or demitted office shortly after that date, as on 10 February 1586-87 Sir James Sandilands of Slamannan appears as tutor of the young Baron; an office which he held till 14 March 1588-89, when his pupil chose curators, his next-of-kin on the father's side being Mr. John Cockburn of Ormiston, George Dundas of Dundas, and James Sandilands of Slamannan; on the mother's side Robert, Lord Ross, and James Ross of Wardlaw.[3] On 28 February 1594-95 Lord Torphichen was charged to answer for his share in a street riot in Edinburgh between the Sandilands and the Earl of Montrose, which had taken place on 31 January preceding.[4] He was retoured heir of James, Lord Torphichen, brother-german of his grandfather, in the barony of Torphichen, etc.,[5] 12 May 1597, and his name occurs frequently in the register of the Great Seal between that date and 1605, in connection with the disposal of the Temple lands to various purchasers—a small portion only of the Hospitallers' possessions being retained by the family in that district. He died in the month of August 1617. He married, first (contract 1 August 1595),[6] Elizabeth, daughter of James Heriot of Trabroun, by Isabella Maitland his wife, to whom the Mains of Calder and the lands of Camilty were confirmed 16 February 1600;[7] secondly, Mary, eldest daughter of Gilbert, seventh Lord Somerville. She married, secondly, William Douglas of Pumpherston, and died 15 May 1620.[8] By his first wife only Lord Torphichen had issue:—

[1] *P. C. Reg.*, iii. 732. [2] *Ibid.*, 371. [3] *Acts and Decreets*, cxx. 137. [4] See M'Call's *Mid Calder*, 72 and 73; *P. C. Reg.*, v. 201, 211, 222. [5] *Retours, Linlithgow*, No. 19. [6] *Reg. of Deeds*, liii. 15 July 1596. [7] *Reg. Mag. Sig.* [8] *Edin. Com. Decreets*, 9 June 1621.

1. JAMES, third Lord Torphichen.
2. JOHN, fourth Lord Torphichen.
3. *Mr. William* of Hilderstoun, M.A. Edinburgh, 1617; served tutor of Torphichen 1 November 1637.[1] He married, first, Grizel Bannatyne,[2] *anno* 1626; secondly, 1 January 1641, Dame Elizabeth Cunningham,[3] relict of Colonel Sir George Cunningham.[4] By his first wife he had:—

(1) *Walter*, his heir,[5] who assumed the surname and arms of Hamilton of Westport.
(2) *William*.[6]
(3) *Margaret*.[7]
(4) *Susanna*.[8]
(5) *Isobel*.[9]

His issue by his second wife was:—

(6) *Elizabeth*, baptized 3 September 1641.
(7) *Mary*, baptized 26 January 1645.
(8) *Elizabeth*, baptized 29 March 1646.
(9) *James*, baptized 28 February 1647.
(10) *Anna*, baptized 28 May 1648.[10]

4. *Robert*, born 24 December 1600,[11] in Woodheid of Calder. Died December 1654.[12]
5. *Mr. Henry*, fifth son,[13] baptized 25 June 1605,[14] M.A., Edinburgh 1623.
6. *Thomas*, baptized 21 June 1612,[15] probably died young.
7. *Isabel*, baptized 28 October 1607,[16] married to Hugh Wallace of Elderslie, and had issue.[17]

III. JAMES, third Lord Torphichen, is mentioned as James Sandilands, junior, eldest son begotten betwixt James Sandilands of Calder, Lord of Torphichen, and Elizabeth Heriot, his wife, daughter of James Heriot of Trabroun, in a charter of the barony of Calder 4 March 1600.[18] He was served heir of James, Lord Torphichen, his father, in various baronies and lands in the counties of Edinburgh, Linlithgow, and Peebles, 15 December 1618; and he died unmarried in the month of January 1622.

[1] *Inq.* xiv. 168. [2] *Edin. Sasines*, xi. 331. [3] *Reg. Mag. Sig.*, 24 July 1646; Midcalder Reg. [4] *Reg. of Deeds*, DIiii. 414. [5] *Retours, Linlithgow*, No. 236. [6] *Reg. of Deeds*, Durie, 23 February 1669. [7] *Ibid.* [8] *Ibid.* [9] *Reg. of Deeds*, ccccxc. 420. [10] Midcalder Reg. [11] Edin. Reg.; *Reg. of Deeds*, ccxli. 51. [12] Edin. Tests. [13] *Reg. of Deeds*, ccxli. 51. [14] Midcalder Reg. [15] *Ibid.* [16] *Ibid.* [17] *Reg. Mag. Sig.*, 2 September 1641. [18] *Ibid.*

IV. John, fourth Lord Torphichen, graduated M.A. Edinburgh in 1615, and was served heir of his brother, as above, 30 May 1622.[1] His presence was commanded at a Convention of the Estates held at Edinburgh 27 October 1625,[2] and on 13 November 1627 he received a peremptory order from the Privy Council to produce a list of all the fencible persons in the parish of Calder.[3] Again, on 25 July 1629, Lord Torphichen was charged to apprehend all Jesuits and all other persons found going on pilgrimages to chapels and wells.[4] On the resumption by the King in the year 1633 of the superiority of all church lands, he felt apprehensive that his rights as the successor of a religious order might be prejudiced. After petitioning Parliament, he was called upon to show in what respect the superiorities of the lordship of Torphichen differed from those of other erections, and why they should not be comprehended under the Act of Annexation. He obtained, however, an award of His Majesty, following a resolution of the Privy Council, which was to have the force of an Act of Parliament, that the resumption should be held in no degree to encroach upon the superiorities of the barony of Torphichen within 'that meane portione thereof quharin does subsist the title and dignity of Lords of Parliament, and to quhilk the title of Lord of Parliament is annexit.'[5] He died in the month of July 1637. He married (contract dated 28 February 1624[6]), Isabel, daughter of Sir Walter Dundas of Dundas, by whom he had issue:—

1. John, fifth Lord Torphichen.
2. Walter, sixth Lord Torphichen.
3. *William* of Couston, co. Linlithgow, baptized 13 May 1630,[7] married Mary Eastoun. Their eldest son *Walter* sued his mother for aliment.[8] Another son, *William*, executed an entail of Couston 28 February 1704.
4. *Anna*, baptized 27 March 1627.[9]
5. *Isabel*, baptized 14 June 1631,[10] married 24 April 1666, to Sir Thomas Kirkpatrick of Closeburn.
6. *Katherine*, baptized 14 August 1632.[11]

[1] *Retours, Edin. and Linlithgow.* [2] *P. C. Reg.*, 2nd ser., i. 141. [3] *Ibid.*, ii. 115. [4] *Ibid.*, iii. 240, 323. [5] *Acta Parl. Scot.*, v. 162; dated 15 May 1636. [6] *Reg. of Deeds*, DXV. 100. [7] Midcalder Reg. [8] *P. C. Decreta*, 4 January 1700. [9] Midcalder Reg. [10] *Ibid.* [11] *Ibid.*

7. *Margaret*, baptized 31 December 1633,[1] married to Thomas Marjoribanks of Marjoribanks, and had issue.
8. A son or daughter, baptized 8 January 1635.[2]
9. *Janet*, baptized 14 February 1636.[3]

V. John, fifth Lord Torphichen, was baptized at Midcalder 11 February 1625, to whom his uncle, William Sandilands of Hilderstoun, was served tutor-at-law 1 November 1637.[4] He was served heir of the baronies of Torphichen and Calder on the 7 of the same month.[5] He protested against the Duke of Hamilton's engagement to march into England in 1648;[6] was one of the few Peers who sat in Parliament in January 1649; and died, unmarried, in the month of July in that year.

VI. Walter, sixth Lord Torphichen, was baptized 12 May 1629,[7] and retoured heir of his brother, as above, 6 November 1649. He was a supporter of the Revolution of 1688; signed the Act declaring the legality of the meeting of the Estates summoned by the Prince of Orange, and was one of the signatories also of a letter congratulating King William upon his accession. In 1692 he conveyed many lands forming the western part of Calder Comitis to Thomas Marjoribanks of Balbardie. He died in May 1696,[8] and his portrait is preserved in the family collection at Calder House. He married, first, in May or June 1651,[9] Jean, daughter of Alexander Lindsay, younger of Edzell, to whom she was served heir 17 August 1653, and of Anne, second daughter of John, first Earl of Wemyss, to whom she was served heir on 16 April in the same year.[10] She died in 1655, testament confirmed 8 March 1662.[11] He married, secondly, in the Kirk of the Canongate, 28 April 1657, Catherine Alexander, eldest daughter of William, Viscount Canada; thirdly, on 11 April 1671 (contract 7 April), Anna Elphinstone, only daughter of Alexander, sixth Lord Elphinstone; and fourthly, Christian, only daughter and heiress of James Primrose, one of the Clerks of Council, brother of Sir Archibald Primrose of Dalmeny, Bart., Lord Clerk Register.

[1] Midcalder Reg. [2] *Ibid.* [3] *Ibid.* [4] *Inq. de Tutela*, 580. [5] *Retours, Linlithgow*, 138. [6] Guthrie's *Memoirs*, 263 and 301. [7] Midcalder Reg. [8] Edin. Tests., 25 November 1730. [9] *Douglas Book*, iv. 262. [10] *Retours, Gen.*, 3779, 3832. [11] Edin. Tests.

By his first wife Lord Torphichen had two sons:—

1. *Walter*, baptized 28 February 1652,[1] died young.
2. *John*, baptized 19 March 1654, died young.

By his second marriage:—

3. *Margaret*, born 17 September 1660,[2] died young.
4. *Anne*, born 22 February 1663,[3] married to Robert Menzies, younger of Menzies, who died *vitâ patris*, leaving issue.
5. *Catherine*, married, 29 April 1689,[4] to David Drummond of Cultmalundie.

By his third marriage:—

6. *Lilias*, born 20 February 1672.[5]

By his fourth marriage:—

7. *Walter*, baptized 15 June 1673, died unmarried *vitâ patris*.
8. JAMES, seventh Lord Torphichen.
9. *Christian*, married, 22 June 1704, to Robert Pringle, councillor-at-law in London.
10. *Magdalen*, died unmarried.

VII. JAMES, seventh Lord Torphichen, was served heir of his father 13 May 1698, and took his seat in the Scottish Parliament 6 July 1704. He was lieut.-colonel of the 7th Dragoon Guards and served abroad in the wars of Queen Anne. On the occurrence of the Rebellion of 1715 he hastened down from London to Scotland, and commanded a party of 500 horse and foot that marched from Edinburgh on 17 October to Seton House. He fought at Sheriffmuir 13 November 1715, but quitted the Army in 1722, and was appointed by George I. one of the Lords of Police. Upon the abolition of heritable jurisdiction in 1747 Lord Torphichen was allowed a sum of £134, 12s. 6d. for the regality of Torphichen;[6] and he died at Calder House 10 August 1753, having been for fifty-seven years Lord Torphichen. His portrait and that of his wife, Lady Jean Hume, are preserved at Calder. He married, in 1703, Jean, daughter of Patrick Hume, first Earl of Marchmont, Chancellor of Scotland, and by her, who was born 22 March

[1] Edin. Reg. [2] *Ibid.* [3] *Ibid.* [4] *Ibid.* [5] *Ibid.* [6] *Treasurer's Money Book*, Record Office.

1683 and died at Edinburgh 10 December 1751, in her sixty-ninth year, had issue:—

1. *James*, entered the 44th Foot in 1735, and was severely wounded at Prestonpans in 1745. He died, unmarried, at Edinburgh 20 April 1749.
2. Walter, eighth Lord Torphichen.
3. *Patrick*, born 1 November 1708.[1] A naval commander in the East India Company's service. Was lost at sea, without issue.
4. *Alexander*, baptized 25 September 1711,[2] died young.
5. *Andrew*, entered the Army in 1733; lieutenant 21st Regiment 1739; fought at Dettingen and Fontenoy, where he was wounded. Retired with the rank of major, and died at Contentibus 27 June 1776.
6. *George*, born 9 March 1717,[3] died young.
7. *Charles*, baptized 20 June 1720;[4] lieutenant R.N.; died on the Carthagena Expedition 1741.
8. *Robert*, was in 1747 a lieutenant in the Earl of Drumlanrig's regiment in the service of the States of Holland; and in 1759 a lieutenant in Lord Aberdour's Light Dragoons. Was appointed solicitor to the Board of Police 1769, and was captain in the South Fencible Regiment 1778. He died at Contentibus 18 May 1791,[5] his will being proved at Edinburgh 20 February 1798.[6] He married Grizel, daughter of Sir Thomas Kirkpatrick of Closeburn, Bart., and by her, who died 10 February 1776, had:—

   (1) James, who succeeded as tenth Lord.
   (2) *Susanna*, born 8 June 1766, died unmarried.
   (3) *Jean*, born 17 November 1767, died young.
   (4) *Grizel*, born 6 December 1768, died unmarried.

9. *Grizel*, died unmarried.
10. *Christian*, died, unmarried, at Major Sandilands' house near Midcalder 5 October 1762.
11. *Wilhelmina Caroline*, born 12 December 1715, died, unmarried, at Calder 15 August 1767.

VIII. Walter, eighth Lord Torphichen, was admitted a member of the Faculty of Advocates 11 July 1727, and

[1] Midcalder Reg. [2] *Ibid.* [3] *Ibid.* [4] *Ibid.* [5] *Scots Mag.* [6] Edin. Tests.

appointed Sheriff-Depute of Midlothian in July 1748 under the Earl of Lauderdale, High Sheriff of the county of Edinburgh. Mr. Walter Sandilands, advocate, had seisin, 30 August 1744, of the lands of Coustoun, Braidshaw, Adiewell, and Muirhousedykes. He was seised of the lordship and barony of Calder 8 November 1753, and he died at Calder House 9 November 1765.[1] He married, in London 9 June 1757, Elizabeth, daughter and heir of Alexander Sandilands, M.D., physician to the British hospital in Flanders, and by her, who died also at Midcalder 27 September 1779,[2] had:—

1. JAMES, ninth Lord Torphichen.
2. *Alexander*, born 12 February 1761, an officer in Royal Scots Greys, and died at Calder 20 November 1806.
3. *Walter*, born 14 February 1763, died unmarried.
4. *Hugh*, an officer in the 78th Regiment; was severely wounded in the East Indies, during an engagement on board the *Monarca*, 2 September 1782, and died next month at Madras.

IX. JAMES, ninth Lord Torphichen, was born 15 November 1759, and succeeded his father in 1765. He was an officer in the Scots Fusiliers in General Burgoyne's expedition to America, and was one of those who piled their arms at Saratoga in 1777. Was in the Coldstream Guards with the rank of lieut.-colonel in 1793, served in Flanders with the Duke of York 1793-94, and retired from the service fn 1795. Chosen one of the Scots Representative Peers in 1790, and again in 1796. He married, at Edinburgh 6 April 1795, Anne, daughter and heir of Sir John Inglis of Cramond, Bart., who died childless. Lord Torphichen died in the year 1815, when the succession devolved upon his cousin-german, James Sandilands. His portrait, together with that of his lady, both by Sir Henry Raeburn, occupy a position in the gallery at Calder House.

X. JAMES, tenth Lord Torphichen, who now succeeded, only son of the Hon. Robert Sandilands,[3] was born 21 July 1770,[4] and was in early life captain of an East Indiaman.

[1] Edin. Tests., 1 February 1766. [2] Dr. Sandilands died at Calder House 29 March 1759. His portrait and that of his daughter, Lady Torphichen, are in the family collection; Edin. Tests., 21 November 1780. [3] See *ante*, p. 395. [4] Midcalder Reg.

He died 22 March 1862, aged ninety-one years. He married, 3 November 1806, Margaret Douglas, second daughter of John Stirling of Kippendavie, a cadet of the house of Keir, and by her, who died 13 December 1836, he had issue:—

1. Robert, eleventh Lord Torphichen.
2. *Rev. John*, M.A., rector of Coston, co. Leicester, born 1 November 1813; married, 24 July 1845, Helen, daughter of James Hope, Writer to the Signet, and died 18 March 1865. She died 29 January 1887, aged seventy-three, leaving issue:—

    (1) James Walter, the present Peer.
    (2) *John Hope*, born 24 July 1847, married, 1 August 1877, Helen Mary Anne, only daughter of Thomas Tourle of Waratah, N.S.W., and died 2 May 1903, having had issue:—

        i. *James Bruce*, born 8 April 1883.
        ii. *Helen Caroline*, born 1880, died 1898.

    (3) *Francis Robert*, born 12 January 1849; commander R.N., Albert medal for saving life at sea; Royal Humane Society's medal with clasp; war medals, Egypt 1882 and Khedive's star. He married, 4 June 1885, Maud Bayard, daughter of Frederick Augustus Wiggins, and died 30 July 1887, without surviving issue.
    (4) *Douglas*, born 23 October 1851; lieutenant 43rd Regiment. Died in Australia 13 December 1882.
    (5) *Helen Jane*, born 20 December 1853, married, 7 February 1891, to Charles Woodbine Parish, and has issue.

3. *James*, born 2 October 1821; captain 8th Hussars; died, unmarried, 29 April 1902.
4. *Mary*, married, 4 August 1828, to William Ramsay-Ramsay of Barnton, near Edinburgh, who died 14 March 1850. She died, without surviving issue, 21 January 1891.

XI. Robert, eleventh Lord Torphichen, was born 3 August 1807. Some time captain 3rd Regiment of Guards; died 24 December 1869. He married, 25 July 1865, Helen, youngest daughter of Thomas Maitland, Lord Dundrennan, a Senator of the College of Justice, who survived her husband and died 23 July 1885. He was succeeded by his nephew,

XII. James Walter, twelfth Lord Torphichen and twentieth feudal baron of Calder, born 4 May 1846.

Formerly captain in the Rifle Brigade; a Representative Peer for Scotland. He married, 25 May 1881, Ellen Frances, daughter of Lieut.-General Charles Edward Park Gordon, C.B., which marriage was dissolved on his Lordship's petition on 24 January 1890, and has:—

1. *James Archibald Douglas*, Master of Torphichen, born 6 October 1884. Died, unmarried, and buried at Fort Johnston, in Nyasaland Protectorate, where he was Assistant-Resident, 29 September 1909.
2. John Gordon, born 8 June 1886.
3. *Walter Alexander*, born 26 April 1888.
4. *Alison Margaret*, born 29 July 1883.

Creation.—Baron Torphichen, 24 January 1563-64.

Arms (recorded in Lyon Register).—Quarterly, 1st and 4th, argent, on a chief azure an imperial crown or, in base a thistle vert flowered gules; 2nd and 3rd, counter-quartered; 1st and 4th, argent, a bend azure; 2nd and 3rd, argent, a human heart proper, imperially crowned gules, on a chief azure three mullets of the field.

Crest.—An eagle displayed proper.

Supporters.—Two savages wreathed round the loins and temples with oak leaves, holding in the exterior hands clubs, all proper.

Motto.—*Spero meliora.*

[H. B. M.]

STEWART, EARL OF TRAQUAIR

JAMES STEWART, natural son of James, Earl of Buchan, by Margaret Murray,[1] had a legitimation under the Great Seal 20 February 1488-89,[2] and a charter from his father, 18 May 1491, of the lands of Traquair to himself and the heirs-male of his body, whom failing, to his brother-german (*sic*) Alexander, a liferent of the lands being reserved to his mother Margaret Murray.[3] He had a grant of the lands of Melrose, in Banffshire, from his brother Alexander, Earl of Buchan, in December 1499.[4] He fell at Flodden 9 September 1513. He married (papal dispensation 9 November 1505[5]) Catherine, younger daughter of Philip Rutherford, and sister and coheiress along with her sister Helen, of her brother Richard Rutherford of that Ilk.[6] They had issue:—

1. WILLIAM, who succeeded.
2 *Marion*, married to James Tweedie of Drumelzier.[7]
3. —— a daughter, who is said to have had, by Archibald, sixth Earl of Angus, an illegitimate daughter *Janet*, who married Patrick, third Lord Ruthven.[8]

WILLIAM STEWART of Traquair, who had a charter to himself of the lands and barony of Traquair and Schelynlaw, and to his father in liferent and himself in fee of part of

[1] See vol. ii. 267. [2] *Reg. Mag. Sig.* [3] Confirmed 23 January 1492-93, *ibid.* [4] Traquair charters cited in Wood's Douglas's *Peerage.* [5] *Ibid.* [6] *Reg. Mag. Sig.*, 12 November 1502. [7] *Acts and Decreets*, i. 233. [8] Godscroft's *House of Douglas*, ii. 63.

the lands of Glen, with a terce of all the lands to his mother, 12 August 1512.[1] The lands of Traquair were apprised by Queen Margaret in 1528, apparently for a loan of £2150, and were granted to Lord Avondale's brother, James Stewart, on 14 July 1529; they seem to have been redeemed soon afterwards, as they were granted anew to William Stewart and his wife in liferent, and their son Robert in fee on 29 March 1538.[2] It is stated[3] that William was served heir of line to his aunt Helen Rutherford, and got the lands of Rutherford and Wells confirmed to him. He married Christian Hay, second daughter of John, second Lord Yester, and by her had issue:—

1. ROBERT, who succeeded.
2. JOHN, who succeeded his brother.
3. WILLIAM, who succeeded John.
4. JAMES, who succeeded William.
5. *Margaret*, married, first, in 1560, to James Murray of Falahill; secondly, to George Douglas, younger of Bonjedburgh (contract 17 July 1573[4]).
6. —— married to William Sinclair of Blans.[5]

ROBERT STEWART of Traquair is mentioned in the charter of 1538 referred to above. He died *s.p.* 9 September 1548.

JOHN STEWART of Traquair was served heir to his brother Robert 2 May 1549.[6] He granted a charter of the lands of Edgerston to his cousin Richard Rutherford 12 January 1559-60.[7] He was surety for Sir Thomas Turnbull of Bethroule 13 February 1561-62,[8] and was present as an extraordinary member at a meeting of the Privy Council in July 1565.[9] He was knighted at the creation of Henry Stewart, Lord Darnley, as Duke of Albany on 20 July 1565, was appointed Captain of the Guard to Queen Mary in 1566, and died *s.p.* 28 April 1591, leaving a widow, Janet Knox.[10]

WILLIAM STEWART of Traquair witnessed his brother's charter of 1559-60 referred to above, and was served heir to him 14 March 1594-95.[11] He was knighted before 18 February 1594-95, when he had a charter of the lands of Caber-

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] Wood's Douglas's *Peerage*; see *Exch. Rolls*, xix. 433; *Acts and Decreets*, xlii. 146. [4] *Reg. of Deeds*, xii. 282. [5] *Ibid.*, xi. 306. [6] *Retours, Peebles*, 2. [7] *Reg. Mag. Sig.*, 13 January 1559-60. [8] *P. C. Reg.*, i. 201. [9] *Ibid.*, 341. [10] Edin. Tests. [11] Douglas's *Peerage*; see *Exch. Rolls*, xxii. 510.

stoun, co. Peebles.[1] He had a grant of the lands of Gaithope and others, co. Selkirk, 26 March 1595. He was one of the Gentlemen of the King's Bedchamber; Governor of Dumbarton Castle 1582; a Privy Councillor; and sat in Parliament for Peeblesshire from 1593 to 1604. He was one of the three friends of William, Earl of Gowrie, who accompanied him to the scaffold at his execution on 4 May 1584, and took charge of the burial of his body.[2] Sir William died 20 May 1605.

James Stewart of Traquair, the youngest son, succeeded his brother, and was served heir to him in Gaithope and Traquair 4 July 1605,[3] previous to which he was styled of Kirkland of Innerleithen[4] and of Schillinglaw.[5] He was a lieutenant in the King's Guard under his brother Sir John.[6] He died 9 March 1607,[7] having married Katherine Ker, who died 28 February 1606.[8] They had issue:—

1. John.
2. *Robert*, who succeeded to Schillinglaw. He was tutor to his nephew John of Traquair. On 19 November 1613 he had, as Sir Robert Stewart, a charter from James Twedy of Drummelzier, conveying to him and his wife, for a sum of 13,000 merks, the lands of Hopcailzie-Wester, co. Peebles.[9] On 29 July 1617 he had a charter of the lands of Horsburgh, co. Peebles.[10] He was buried in February 1623,[11] having married Alice, daughter of Mr. Samuel Cockburn, of Temple,[12] with whom he got the charter of Hopcailzie above mentioned. James Stewart of Horsburgh, their son,[13] was served heir 25 March 1634.[14]
3. *William*. As *filius legitimus* of James Stewart of Scheillinglaw, he had a grant of the benefice and lands belonging to the Holy Cross Church of the Red Friars on 11 June 1584.[15] It is stated to be vacant by the decease of Thomas Hay, brother of William, Lord Hay of Yester, and William Stewart was bound to

[1] *Reg. Mag. Sig.* [2] Brit. Mus., Cotton MS. Caligula c. viii. 29. [3] *Retours, Selkirk*, 9; *Peebles*, 25. [4] *Reg. Mag. Sig.*, 21 December 1592. [5] *Ibid.*, 11 June 1584. [6] *Ibid.*; *P. C. Reg.*, iii. 727, 730. [7] Edin. Tests. [8] *Ibid.* [9] Confirmed 18 January 1614, *Reg. Mag. Sig.* [10] *Ibid.* [11] Canongate Reg. [12] She was his future wife 16 December, *Edin. Sas. Sec. Reg.*, viii. 58. [13] *Reg. Mag. Sig.*, 23 December 1633. [14] *Retours, Roxburgh*, 155. [15] *Reg. Mag. Sig.*

pay a third of the benefice for the support of the King's Guard under the provisions of an Act of Parliament to that effect.[1] This gift was much complained of by the Hays, who said that Thomas Hay had got a regrant of the benefice on his own resignation in 1583, apparently in fee and not in mere liferent. The claimants carried the matter to the Court of Session, and it was remitted to the Commissaries, and was also brought before the Privy Council.[2] He had a daughter *Agnes*.[3]

4. *Walter*.
5. *Margaret*, married, in 1576, to William Burnett, 'the Hoolet o' Barns.'[4]
6. *Janet*, married (contract 29 October 1576) to John Veitch of Dawick.[5]
7. *Isobel*.
8. *Mary*.
9. *Gelis*, married (contract 28 December 1608) to William Rutherford of Sunlaws, afterwards of Wrightlands.[6]

John Stewart, younger of Traquair, died *vitâ patris*, having married Margaret, daughter of Andrew, Master of Ochiltree.[7] They had a son,

I. John Stewart of Traquair, who succeeded his grandfather. He was born about 1600, as he was still under age in 1619, when Sir Robert Stewart of Shillinglaw appears as his curator,[8] but must have attained majority in or before 1621, when he sat in Parliament as Commissioner for Peeblesshire. He evidently threw himself into the work of Parliament with enthusiasm and diligence as his name is found during the next few years as a member of many committees. On 17 July 1623 he was appointed one of the Standing Committee on Manufactures, by which time he had apparently been knighted.[9] He was Convener of the County of Peebles in the same year, and was made a Commissioner for the Middle Shires in 1624.[10] On 23 May 1627

[1] *Acta Parl. Scot.*, iii. 413. [2] *P. C. Reg.*, iv. 556. [3] Test. of James Stewart, which also names James's son Walter and his three youngest daughters. [4] *Family of Burnett of Barns*, 22. [5] *Reg. of Deeds*, xvii. 351. [6] *Ibid.*, ccclxxxiii. 316. [7] Duncan Stewart, 120. [8] *P. C. Reg.*, xii. 23, 75, 85. [9] *Ibid.*, xiii. 300. [10] *Ibid.*, 343, 543.

he was admitted a member of the Privy Council.[1] On 13 December of that year he was, as one of the curators of the Duke of Lennox, appointed Keeper of Dumbarton Castle, which had been allowed by neglect to fall into a state of disrepair. He did not, however, hold the appointment long, as he handed the castle over to an agent of the Duke in the February following.[2] By patent, dated at Whitehall 19 April 1628, he was created a Lord of Parliament under the title of LORD STEWART OF TRAQUAIR, with remainder to his heirs-male bearing the name and arms of Stewart.[3] He was appointed Treasurer Depute when the Earl of Morton got the white staff in 1630, and on 10 November of that year he was made one of the Extraordinary Lords of Session.[4] He was included in the list of the new Privy Council formed in March 1631. He was always a useful and energetic public servant, and his services were rewarded, at the time of King Charles I.'s visit to Scotland, by his being created, on 23 June 1633, EARL OF TRAQUAIR, LORD LINTON AND CABERSTON, with remainder to heirs-male whatsoever as above.[5] On 24 May 1636 he was made Lord High Treasurer in succession to his old chief, Morton. From this date the principal events in his career were associated with the troubles that arose in connection with the introduction of Laud's Liturgy. He appears to have tried to steer a middle course, and to have had no very strong opinions of his own, but this, as might be expected, led him to be distrusted by both the King and the Covenanters. After the latter body captured Edinburgh Castle in 1639, they marched to Dalkeith Palace and made Traquair deliver up a large quantity of arms and ammunition which he had provided for the purpose of fortifying the castle against them. The King, naturally, was not well pleased at this occurrence, and Traquair was under a cloud at Court for a time. But he was too valuable a servant to be dispensed with. He was appointed Commissioner to the Assembly which sat on 13 August 1639, when an Act was passed abolishing Episcopacy. But while he professed to approve of this, he managed to delay till the next year the meeting of Parlia-

[1] *P. C. Reg.*, 2nd ser., i. 610. [2] *Ibid.*, ii. 150, 252. [3] *Reg. Mag. Sig.*
[4] Brunton and Haig's *Senators*, 284. [5] *Reg. Mag. Sig.*

ment which should have ratified it. His trimming lost him the confidence of both parties, and exasperated the Covenanters, and in 1641 Parliament indicted him as an 'incendiary,'[1] and a commission was authorised to try him and other four persons.[2] On 3 December 1641 Traquair bound himself to appear for trial whenever summoned, but as a matter of fact the commission came to an end without any trial taking place.[3] In 1644 an Act of Parliament, of inordinate length, was passed, reciting the career and misdemeanours of Traquair from the Covenanting point of view, and accepting from him the sum of 40,000 merks, but ordering him to confine himself within the sheriffdoms of Roxburgh, Selkirk, and Peebles.

In 1645 he sent his son, Lord Linton, to join Montrose with a troop of horse the day before the battle of Philiphaugh, but he ordered them that very night to withdraw from the Royalist Army, and he has generally been accused of having given the Covenanting general information as to the state of Montrose's forces.[4] In the following year, however, through the influence of the King, and on a petition by him, expressing sorrow that anything should have escaped him calculated to displease the Parliament, he was once more received into favour and admitted to sit and vote.[5] In 1648 he raised a troop of horse for the 'Engagement' to attempt the rescue of the King, but both he and his son, Lord Linton, were taken prisoners at the battle of Preston. He was imprisoned in Warwick Castle for four years and his estates sequestrated. On 9 March 1652 he was permitted by the Council of State at Whitehall to return to Scotland for a period of six months,[6] and ultimately was set at liberty. The remainder of his days was spent in poverty and obscurity in Edinburgh, though his name appears on the lists of the Commissioners of Supply for Peeblesshire till the time of his death, which took place on 27 March 1659 'upon a Sabbath betwixt sermons';[7] 'suddenly when taking a pipe of tobacco.'[8] So low had this once great minister of state been reduced that it is said 'he wanted bread before he died,'[9] and he is known in history as 'the

[1] *Acta Parl. Scot.*, v. 319. [2] *Ibid.*, 408. [3] *P. C. Reg.*, 2nd ser., vii. pref. xlvi. [4] *Deeds of Montrose*, 141. [5] *Acta Parl. Scot.*, vi. pt. i. 638. [6] *Ibid.*, pt. ii. 749. [7] Crawfurd's *Lives*, 414. [8] *Staggering State*. [9] Crawfurd, *ut supra*.

beggar Earl.' An eye-witness says, 'I saw him begging in the streets of Edinburgh. He was in an antick garb, wore a broad, old hat, short clock, and pannien breeches; and I contributed in my quarters in the Canongate at that time, which amounted to a noble, which we gave him standing, and his hat off, the Master of Lovat, Culboky, Glenmoriston, and myselfe; which piece of mony he receaved from my hand as humbly and thankfully as the poorest supplicant. It is said that at a time he had not to pay for cobling his bootes, and died, as we hear, in a poor cobler's house.'[1] At his funeral he 'had no mortcloth but a black apron: nor towels but dog leishes belonging to some gentlemen that were present; and the grave being two foot shorter than his body, the assistants behoved to stay till the same was enlarged and he buried.'[2]

The Earl married (contract 14 September 1620, tocher 20,000 merks) Catherine, third daughter of David, first Earl of Southesk. Whatever may have been Traquair's political and domestic misfortunes, his choice of a wife was not one of them, as there are letters extant from her to him in 1651, when he was imprisoned in England, all of which breathe a spirit of most dutiful affection.[3] By her he had issue:—

1. John, second Earl of Traquair.
2. *Margaret*, married (contract 26 March 1635[4]) to James, second Earl of Queensberry, and died on, or soon after, 20 March 1673, when she made her will at Sanquhar Castle.[5]
3. *Elizabeth*, married, in 1643 (proclamation of banns at Aberlady 9 April), to Patrick, Lord Elibank.
4. *Catherine*, married to John Stewart.
5. *Magdalene*, married to Thomas Hamilton of Redhouse (contract dated 26 January 1658); she is styled youngest daughter.[6]

II. John, second Earl of Traquair, was born in 1622. He was sent by his father to join Montrose with a troop of horse at Gala in September 1645,[7] but withdrew from the Royalist forces, it is said by direction of his father, the

[1] *Wardlaw MS.*, Scot. Hist. Soc., 476. [2] Note in *Staggering State*. [3] *Carnegie Book*, ii. 441-447. [4] *Deeds*, M'Kenzie, 6 November 1668. [5] Dumfries Tests., 1 June 1673. [6] *Edin. Sasines*, vii. 12. [7] *Deeds of Montrose*, 140.

night before Philiphaugh.[1] He was one of the 'engagers' for the rescue of the King, and accompanied the Duke of Hamilton on his expedition into England in August 1648, and was taken prisoner at Preston, but was soon released. He succeeded his father, with whom he was on bad terms for some time before his death, in 1659, and died in April 1666. He married, first, towards the end of 1649, Henrietta Gordon, second daughter of George, second Marquess of Huntly, and widow of George, Lord Seton, eldest son of George, Earl of Winton.[2] She died in childbed, June 1651;[3] and he married, secondly, at Winton in April 1654, Anne Seton, born 30 September 1634, second daughter of the Earl of Winton, she being his first wife's sister-in-law.[4] By her he had issue:—

1. William, third Earl of Traquair.
2. *George*, died *vitâ patris* unmarried.
3. Charles, fourth Earl of Traquair.
4. *John*, died *s.p.*
5, 6, 7. Three daughters *Elizabeth*, *Isabel*, and *Lucy*, who all died unmarried.

III. William, third Earl of Traquair, was born 18 June 1657, succeeded his father in 1666 and died unmarried.

IV. Charles, fourth Earl of Traquair, succeeded his brother, and is said to have been 'a nobleman of great integrity, worth and honour.'[5] He died 13 June 1741, having married, 9 January 1694 (contract same day), Mary, daughter of Robert, fourth Earl of Nithsdale. She died 22 September 1759 in her eighty-eighth year. They had issue:—

1. Charles, fifth Earl of Traquair.
2. *William*, born 27 February 1698, died, unmarried, before 1764.
3. John, sixth Earl of Traquair.
4. *Robert*, born 9 February 1710.
5. *Lucy*, born 18 February 1695. She was educated at a convent in Paris, from which she wrote some interesting letters to her mother.[6] She died, unmarried, at Edinburgh 12 April 1768.

[1] *Deeds of Montrose*, 143. [2] Cf. vol. iv. 547. [3] Balfour's *Annals*, iv. 351. [4] *Ibid.* [5] Wood's Douglas's *Peerage*, ii. 600. [6] *Carlaverock Book*, ii. 181-186, 191-198.

6. *Anne*, born 6 March 1696; was with her eldest sister in Paris, and died, unmarried, at Edinburgh 5 April 1755.
7. *Elizabeth*, born 12 February 1700. She probably died before 1706, when another daughter received the same name.
8. *Winifred*, born 7 June 1701.
9. *Mary*, born 11 August 1702, married, as his second wife to John (Drummond), fifth titular Duke of Perth, and died at Edinburgh 4 February 1773.
10. *Isabel*, born 7 May 1703.
11. *Jean*, twin with the above.
12. *Catherine*, born 4 March 1705, married, as first wife, probably on 27 June 1731,[1] to her cousin William, only son of William, fifth and last Earl of Nithsdale. She died at Paris 16 June 1765.
13. *Elizabeth* (*secunda*), born 5 August 1706.
14. *Henrietta*, born 15 September 1707.
15. *Barbara*, born 3 September 1708, died, unmarried, at Edinburgh 15 November 1794.
16. *Margaret*, twin with the above. She died, unmarried, at Edinburgh 4 April 1791. She and her twin sister were the recipients of Latin verses made in their honour by the famous Dr. Archibald Pitcairn, who was the family physician. They lived in a house at the head of the Canongate, having its entrance from St. Mary's Wynd. There it is said they drew out their innocent retired lives, one of their favourite amusements being to make dolls and little beds for them to lie on.[2]
17. *Louisa*, born 27 October 1711.[3]

V. Charles, fifth Earl of Traquair, succeeded his father in 1741. He took part in the rising of 1745 and was for a considerable time imprisoned in the Tower of London. He was released on bail before August 1748, and was probably finally discharged in October of that year.[4] He was, along with the Earls of Kellie and Clancarty, excepted in the

[1] *Carlaverock Book*, i. 486. [2] Chambers's *Traditions of Edinburgh*, 309.
[3] The names of the family and the dates of their birth are from a list of her children by the Countess of Traquair given in the *Carlaverock Book*, i. 407. [4] *Red Book of Grandtully*, ii. 359.

Acts of Indemnity of 1747. He died at Edinburgh 24 April, and was buried at Traquair 1 May 1764.[1] He married, before 1745, Theresa, youngest daughter and coheir of Sir Baldwyn Conyers, Bart., of Horden, co. Durham, but by her, who died at York, 8 May 1778,[2] had no issue. She is described in a letter from the Earl of Perth, as 'of a very engaging temper, frank and easie in her conversation, accompanied with that decencie in her behaviour, and a livelyness of spirit, as must charme evry body who have the honour to be in company with her, but is of so tender and delicate a constitution, almost broken with her concerne for my Lord her husband and confinment with him, that I 'm affray'd she shall scarcely be able to get the better of the illness she contracted during that time which the doctors apprehended to be an inflammation in her liver, for which she was blooded sixteen times while in the Tower and four times since my Lord has got his liberty. . . .'[3]

VI. John, sixth Earl of Traquair, succeeded his brother. He died at Paris 28 March 1779,[4] having married, in 1740, Christian, daughter of Sir Philip Anstruther, Bart., of Anstrutherfield, and widow of Sir William Weir of Blackwood, Bart. (who died 1772). By her, who died at Traquair 12 November 1771, in the sixty-ninth year of her age, the Earl had issue:—

1. Charles, seventh Earl of Traquair.
2. *Christiana*, married to Cyrus Griffin, with issue.
3. *Mary*.
4. *Lucy*.

VII. Charles, seventh Earl of Traquair, was born in 1746; styled Lord Linton till he succeeded his father in 1779. Died at Traquair 14 October 1827, having married, at the house of Mr. Allan, Madox Street, London,[5] 19 August 1773,[6] Mary, daughter and coheiress of George Ravenscroft of Wickham, co. Lincoln. By her, who died at Madrid 11 July 1796, he had issue:—

1. Charles, eighth Earl of Traquair.
2. *Louisa*, born 20 March 1776; died 6 December 1875.

[1] *Scots Mag.* [2] *Ibid.* [3] *Red Book of Grandtully*, ii. 359. [4] *Scots Mag.* [5] *Complete Peerage.* [6] *Scots Mag.*

VIII. CHARLES, eighth Earl of Traquair, styled Lord Linton till his father's death, was born 31 January 1781,[1] and died, unmarried, at Traquair 2 August 1861, when the Peerage became dormant or extinct.

CREATIONS.—19 April 1628, Lord Stewart of Traquair; 23 June 1633, Earl of Traquair, Lord Linton and Caberston.

ARMS (recorded in Lyon Register).—Quarterly: 1st, or, a fess chequy azure and argent, for *Stewart*; 2nd, azure, three garbs or, for *Buchan*; 3rd, sable, a mullet argent, for *Traquair*; 4th, argent, an orle gules, and in chief three martlets sable beaked of the second, for *Rutherford*.

CREST.—On a garb or a crow proper.

SUPPORTERS.—Two bears proper, armed argent.

MOTTO.—*Judge nought.*

[J. B. P.]

[1] *Scots Mag.*

MURRAY, EARL OF TULLIBARDINE

THE earldom of Tullibardine was created 10 July 1606 in the person of Sir John Murray, then Lord Murray of Tullibardine, ancestor of the Duke of Atholl.[1] His son William, the second Earl, who married the heiress of John, Earl of Atholl, in expectation of succeeding to that earldom, on the death of James, the last (Stewart) Earl of Atholl, initiated, with the consent of his only son, a resignation of his Tullibardine titles and estates in favour of his younger brother, Sir Patrick Murray.[2] The terms of the procuratory of resignation are unknown and the arrangement was not then carried out, the Earl dying soon after. He was buried, 30 July 1627, at St. Margaret's, Westminster, as Earl of Tullibardine.[3] His son and successor John, presumably thereupon became third Earl of Tullibardine, but it is doubtful if he ever used that title, as we find him styled in his service as heir to John, Earl of Atholl (who died 1512), merely John Murray, eldest son of the deceased Dorothy Stewart, Countess of Tullibardine.

The retour is dated 6 August 1628, and was ratified by a Great Seal Charter, 17 February 1629, creating him Earl

[1] See vol. i. 469. [2] *Ibid.*, 470. [3] The entry of his burial was discovered after the publication of vol. i., *q.v.*, p. 471.

of Atholl without prejudice to any right he may have had under the aforesaid service.

I. Sir Patrick Murray, above referred to, had on 30 January 1628 a charter under the Great Seal conferring the earldom of Tullibardine on him;[1] and on 24 July following the Earl of Mar produced the patent[2] creating the said Patrick Murray, then of Tullibardine, EARL OF TULLIBARDINE, LORD MURRAY, GASK AND BALQUHIDDER, with limitation to his heirs-male. He was a Gentleman of the Privy Chamber to King James, and was made a Knight of the Bath on the day of the King's coronation in Westminster Abbey, 25 July 1603.[3]

In 1607 the Earl of Salisbury, in exchange for Hatfield, gave up possession of the Palace of Theobalds, which after that year became the King's principal country residence, and Sir Patrick, on the death of Miles Whytakers, was appointed, 1617, Keeper of the Park.[4] In 1622 he had a Great Seal charter of the lands of Tullibardine,[5] 1624 of Redcastle in Forfarshire,[6] and another in 1628, as already stated, of the earldom of Tullibardine. The Earl subscribed the Covenant, 22 September 1638, and two days after was appointed a commissioner to require subscriptions thereto.[7] By charter, dated 17 December of that year, he was granted *de novo* the barony of Logiealmond,[8] which grant was ratified by Parliament in 1641.[9] He was with the King at Durham in May 1639,[10] and Newcastle, from whence he sailed to join the Marquess of Hamilton in the Firth of Forth.[11] Proceeding thence with two of his sons in the company of Lord Aboyne he arrived in Aberdeen road 2 June; he disembarked on the 6th, but took leave of Aboyne two or three days later and returned home.[12] He was therefore not present at the battle of the Bridge of Dee, where Aboyne was defeated on 19 June. In August he was present in Parliament, and was appointed with others to treat upon the settling of the disorders in the

[1] *Reg. Mag. Sig.* [2] *P. C. Reg.*, 2nd ser., ii. 402. [3] Shaw's *Knights*, i. 154. [4] *Cal. State Papers, Dom., James I.*, p. 444. [5] *Reg. Mag. Sig.*, 19 February 1622. [6] *Ibid.*, 19 September 1624. [7] Gordon's *Scots Affairs*, i. 108 *et seq.* [8] *Reg. Mag. Sig.* [9] *Acta Parl. Scot.*, v. 611. [10] *Cal. State Papers Dom., Charles I.*, 1639, p. 103. [11] *Ibid.*, 172, 214. [12] *Memorials of the Troubles*, i. 199, 203, 204; Gordon's *Scots Affairs*, ii. 266.

North.[1] The Earl died at Bury Green, Cheshunt, and was buried, 7 September 1644, at Cheshunt.[2] In his will, dated 30 August 1644, he mentions that he had sold his estate of Redcastle for raising portions for his four daughters and son Charles.[3]

He appears by a grant of a pension, dated 18 January 1604, to have married first a wife Prudence.[4] Before 26 July 1613[5] he had married Elizabeth (baptized 18 October 1591 at St. Bartholomew's, Exchange, London), the relict of Sir Francis Vere, Captain of Portsmouth, and some time Governor of the forces of the Netherlands, who died 28 August 1609.[6] She was daughter and coheir of John Dent, citizen and merchant of London, by his second wife Alice, daughter of Christopher Grant of Lancashire, who married, secondly, Sir Julius Caesar, Chancellor of the Exchequer 1606, and Master of the Rolls 1614. The Countess had a liferent charter of Tullibardine and Redcastle in 1631.[7] She made a nuncupative will 1 February,[8] and was buried at Cheshunt 11 February 1655-56, having had issue by the Earl:—

1. James, styled Lord Murray of Gask until he succeeded his father.
2. *Charles*, baptized at Cheshunt 12 December 1618; named as an executor of his father's will 30 August 1644; died before 5 March 1646-47. A colonel in the Army of the Parliament.
3. *Francis*, baptized 10 May 1627, and buried 5 January 1638-39 at Cheshunt.
4. *William*, born about 1628, joined the Royalist Army and was present at the battles of Kilsyth and Philiphaugh. With others he fell into the hands of the Covenanters after Montrose's defeat, being taken near the Borders, and was imprisoned in St. Andrews Castle. He pleaded to be tried by Parliament and not by a committee, and objected to be judged by Sir Archibald Johnston of Warriston. His defence, that

[1] *Acta Parl. Scot.*, v. 248, 263. [2] Presumably in the church according to a direction in his will. There is no inscription visible. [3] *P. C. C.* (Rivers, 35 and 46). [4] *Cal. State Papers, Dom.*, 1603-10, 69. [5] *Ibid.*, 194. [6] *Westminster Abbey Reg.*, 109. [7] *Reg. Mag. Sig.*, 23 June 1632. [8] *P. C. C.* (Ruthen, 105).

as he had surrendered himself and had quarter granted, and that therefore he could not legally be tried, was of no avail, for he was forfeited and condemned to be beheaded on 20 January 1646,[1] a sentence that was carried out three days later. This gallant boy, for he was but eighteen years of age, is reported by Wishart to have made a remarkable speech from the scaffold, in which he exhorted his relations and friends not to lament the shortness of his life seeing that it would be abundantly recompensed by the honour of his death. His elder brother is said to have taken no steps to intercede for his life although in great favour with the Covenanters, while Guthrie relates that he actually contributed to bring about his condemnation. Both writers appear, however, to be incorrect, as the Earl, on 17 January, unsuccessfully petitioned Parliament that his brother be pardoned, alleging that he was *non compos mentis* and under age.[2]

5. *Patrick*, baptized at Cheshunt 18 October 1637; buried at St. Helen's, Bishopsgate, London, 2 March 1639, in Sir Julius Caesar's vault.
6. *Jane*, buried at Cheshunt 31 October 1616.
7. *Elizabeth*, baptized at Cheshunt 2 February 1619-20. Made a nuncupative will 26 December 1655; administration granted to her sister, Lady Diana Denny, 15 February 1655-56.[3]
8. *Vere*, baptized Verah, 7 June 1621, at Cheshunt. As an administratrix of her father's will she petitioned Parliament, 11 April 1646, for protection against his creditors, who were pressing for payment while the debtors could not be forced to pay, being themselves protected by Parliament.[4] She was buried at Cheshunt 6 March 1647, having made her will on the 1st, by which she left *inter alia* her portion out of the sale of Redcastle[5] to her mother.
9. *Juliana*, married 1649 to John Newport of Scupholm in Lincolnshire.
10. *Diana*, married to James Denny, not otherwise designed. She had a grant from her brother James, Earl of Tulli-

[1] *Acta Parl. Scot.*, vi. pt. i. 525 f. [2] *Atholl Chronicles.* [3] *P. C. C.* (54, Berkeley). [4] *Fifth Rep. Hist. MSS. Com.*, App. 111*a*. [5] *P. C. C.* (57, Fines).

bardine, on 4 July 1653 to her and her husband of a yearly sum of £600 Scots, corresponding to a principal sum of £10,000 Scots.[1] She died at Martinmas 1672.[2]

II. James, second Earl of Tullibardine of the creation of 1628, was baptized at Cheshunt 22 September 1617, his godfathers being the King and the Earl of Buckingham, and his godmother the Countess of Salisbury. He joined the Covenanters, and commanded the centre of their army at Tippermuir. In 1645, when the Estates pronounced decrees of forfeiture against Montrose, a commission was issued to Tullibardine to levy the rents of the Marquess's property in Perthshire.[3] On the 30 October 1646 he was appointed Sheriff-Principal of Perthshire.[4]

He was one of the many Covenanters who voted against the Act to deliver up King Charles to the English in January 1647. By charter dated 28 December 1649[5] he was granted the office of Constabulary of Huntingtower and the Stewardship and Bailliary of its lordship, the baronies of Bambreich and Strabrand, with other lands which had formerly[6] been granted to William Murray (Earl of Dysart), who resigned them in this year. At the coronation of Charles II. at Scone Tullibardine was appointed colonel of a Foot regiment. In May 1654 he was fined £1500 under Cromwell's Act of Grace,[7] a sum that was reduced to £500,[8] and again to £250. By warrant dated 21 August 1654 he acted as plenipotentiary three days later of his cousin, the Earl of Atholl, in concluding articles between Atholl and Monck on the pending surrender of the former.[9] In 1663 he was seised of Huntingtower.[10]

The Earl died in January 1670 at Tullibardine, leaving no issue,[11] whereupon his titles and Tullibardine estates reverted to his kinsman John, second (Murray) Earl of Atholl. He married three times, first, 3 June 1643, at Charlton, Kent, Lilias Drummond, second daughter of John, second Earl

[1] *Gen. Reg. Sasines*, 12 August 1653. [2] *Rep. Hist. MSS. Com., Various*, v. 211. [3] See vol. vi. 250 of this work. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *Ibid.*, 14 October 1634. [7] Lamont, 70. [8] *Cal. State Papers, Dom., Commonwealth*, viii. 71, 118. [9] *Ibid.*, vii. 333. [10] *Perth Sasines*, ii. 15. [11] Lamont, 216.

of Perth, for eight years in the service of the Princess Royal in Holland;[1] and by her, who died in 1664, had issue:[2]—

1. *Patrick*, born 1644; died before 1664.
2. *James*, born 1645; died before 1670.
3. *Elizabeth*, born 1654.

He married, secondly (contract dated at Blair Atholl 13 September 1664), his cousin, Lady Anne Murray, sister of John, Earl of Atholl; infeft in Easter Gask, 3 January 1666;[3] and, thirdly (contract dated 28 September 1667[4]), Lilias, eldest daughter of Sir James Drummond of Machany, infeft the same day in Lawhill, Kirkhill, and other lands.[5] She also had a charter of Cowhill in Perthshire 12 June 1668.[6] On the death of Lord Tullibardine she married, as second wife, James, fourth Earl of Perth.[7]

Creation.—30 January 1628, Earl of Tullibardine, Lord Murray, Gask and Balquhidder.

Arms (from Pont's Armorial ms.).—Quarterly: 1st and 4th, azure, three mullets argent within a double tressure flory counterflory or, for *Murray*; 2nd and 3rd, or, two chevrons gules, for *Stratherne*.[8]

Crest.—A mermaid, holding a mirror in her dexter and a comb in her sinister hand, proper.

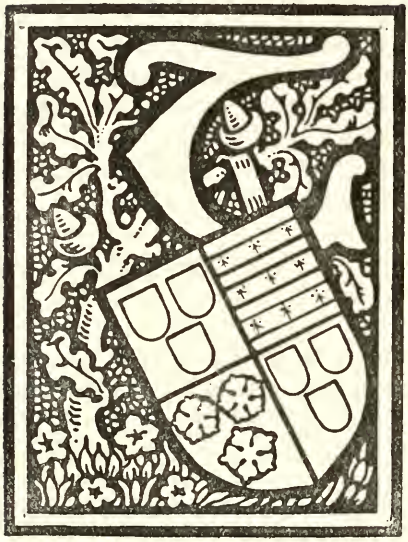
Supporters.—Two lions gules, collared or, and semée of mullets argent.[9]

Motto.—*Tout prest.*

[k. w. m.]

[1] *Cal. State Papers, Dom. Charles II.*, iii. 106. [2] *Atholl Chronicles.* [3] *Perth Sasines*, iii. 209. [4] Duke of Atholl's Writs. [5] *Perth Sasines*, iii. 447. [6] *Reg. Mag. Sig.* [7] See vol vii. 53 of this work. [8] Sir James Balfour in a note on the Workman ms. (Advocates' Library) says there should be no Stratherne quarter. In an Armorial ms. in the College of Arms, however, the Stratherne quarters are given. [9] In the Armorial ms. referred to in the previous note the collars are said to be charged with three mullets sable, the lions themselves being uncharged.

HAY, MARQUESS OF TWEEDDALE



THE origin of the House of Hay in Scotland will be found treated of under Erroll,[1] where it is shown that William de Haya, the first of the surname in authentic Scottish records, does not occur till after 1160, when he appears as a witness to some of the later charters of Malcolm IV., in one of which he is styled *pincerna* or cupbearer.[2] According to old writers he was father of two sons, William, ancestor of the Earls of Erroll, and Robert, ancestor of the Marquesses of Tweeddale. In the Erroll article some doubt is thrown on the statement that there were two successive Williams, and of the exact relationship between the founders of the two branches no contemporary documentary evidence has so far been discovered. A common origin, however, may be assumed from the fact that in the entail of the lands and lordship of Erroll under the first Earl of Erroll, 31 July 1452, David Hay of Yester and Edmund Hay of Talla appear in the remainder immediately after the Earl and the cadets, then numerous, of the Erroll house.[3]

A Robert de Hay, son of William Hay of Erroll, appears

[1] Vol. iii. 555. [2] *Diplomata*, No. 25. [3] Ms. copy in Gen. Reg. House; a similar settlement was proposed on 5 December 1541; *Reg. Mag. Sig.*

Tweeddale

frequently as a witness in various writs between 1200 and 1220,[1] but there is no evidence to connect him with the family of Yester, and the first authentic ancestor of that family is

Sir John de Haya, who is known only from a charter by his son.[2] It may be he who appears as a witness to a charter by King Alexander at Roxburgh in 1222,[3] and to another by the same King, dated at Selkirk 28 July 1238.[4] He is said to have married the daughter and heiress of Robert de Lyne, of Locherworth, co. Edinburgh,[5] with whom he acquired that property, which henceforth became for some two hundred years the territorial designation of his family. He had issue at least:—

Sir William de Haya, of Locherworth. He first occurs in 1263, when as 'Willielmus de Haya, Dominus de Locherworth,' he is named in a convention with the Abbot and monks of Inchcolm.[6] 'Dominus Willielmus de Haya, filius Johannis de Haya, Militis, Domini de Locherworth,' confirmed to the monks of Newbottle, the peatary of Locherworth, 'quam Robertus [de Lyne] filius David quondam Domini de Locherworth, et ipsius pater, illis dedit.'[7] This confirmation is undated, but, from the names of the witnesses, appears to have been granted between 1272 and 1295. Willielmus de Haya of Locherworth also witnesses a charter of Donald, Earl of Mar, to Sir Nicol Hay of Erroll about 1290.[8] William de Haya 'de Lochorvire' had a payment of twenty marks in fee from the Royal chamber at Martinmas 1288 and Pentecost following, under a writ from the Guardians of the Kingdom 29 April 1289,[9] and he gave a receipt for his fee of ten marks sterling for the past year at Scone 8 May following.[10] He was present as a Baron at the Parliament held at Brigham 14 March 1289-90 to ratify the Treaty of Salisbury for the marriage of Queen Margaret to Prince Edward of England,[11] he, then

[1] *Reg. S. Andree*, 155, 316; Charters of Lindores; Charters of Inchaffray. [2] *Chart. of Newbotle*, p. 12. [3] *Liber de Calchou*, i. 151. [4] *Chart. of Lennox*, 1, 2. [5] Crawfurd. [6] *Chart. of Inchcolm*, 24 D. [7] *Chart. of Newbotle*, p. 12. [8] Spalding Club *Misc.*, ii. 313. [9] Stevenson's *Historical Documents*, i. 87; *Cal. of Docs. Scot.*, ii. 371. [10] Stevenson's *Historical Documents*, ii. 95. [11] *Ibid.*, i. 130; *Fœdera*, ii. 471; *Acta Parl. Scot.*, i. 441.

designed as 'Guillaume de la Haye,' and William Sinclair of Rosslyn being the only two representatives of the county of Edinburgh to appear.[1] Sir William de la Haye swore fealty to King Edward I. at Dunfermline 17 July 1291,[2] and in the precept issued by the English King 18 August 1291, to Simon Fraser, Keeper of the Forest of Selkirk relating to the grant of stags to the Scottish magnates, he is to receive four.[3] He was one of those nominated by the elder Robert Bruce to represent his claim to the Crown in the assembly summoned to meet at Norham by Edward I. 10 May 1291.[4] Under the designation of William de la Haye 'de Loukorue' he was summoned to appear before Edward 22 November 1293.[5] Though originally an adherent of Bruce, he appears to have accepted the decision in favour of Baliol (17 November 1292), and supported that King in his endeavour to assert the independence of Scotland. He was, however, taken prisoner by the English at the capture of Dunbar 28 April 1296,[6] and committed to Berkhampsted Castle[7] 16 May. He again swore fealty to Edward at Berwick 28 August that same year,[8] and had his lands of Locherworth restored by the English 10 September following,[9] but remained in custody until 28 August 1297, when, by letters dated at Winchelsea 22 August,[10] he was released on his undertaking to accompany Edward to Flanders,[11] John, Earl of Atholl, being one of the sureties for him. He was doubtless the William de la Hay who witnessed an obligation of fealty to King Robert the Bruce at Auldearn in Moray 31 October 1308.[12] This is the last reference to him that has been found. The name of his wife has not been ascertained, but he is stated to have had issue:—

1. Gilbert of Locherworth his heir.
2. *Margaret*, said to have been married to Henry de Maule of Panmure, temp. 1312-25.[13]

Sir Gilbert de Haya of Locherworth swore fealty to King Edward I. 12 July 1296. He had charters from King

[1] *Caledonia*, iv. 892. [2] *Cal. of Docs. Scot.*, ii. p. 124. [3] *Rotuli Scotiæ*, 3. [4] *Fœdera*, ii. 55[3]5. [5] *Rotuli Scotiæ*, i. 20. [6] *Ibid.*, i. 46. [7] *Cal. of Docs. Scot.*, ii. 742. [8] *Ibid.*, p. 196. [9] *Rotuli Scotiæ*, i. 31, 32. [10] *Fœdera*, ii. 791; *Cal. of Docs. Scot.*, ii. 242. [11] *Rotuli Scotiæ*, i. 46. He was a prisoner at Berkhampsted, 5 March 1296-97, when there is a writ for an allowance to him, *Cal. of Docs. Scot.*, ii. 875. [12] *Acta Parl. Scot.*, i. 477. [13] Cf. vol. vii. 6.

Robert I. (1306-29), to Gilbert de Haya of Locherwart of the lands of Auchinfichlach, etc., which belonged to Sir Duncan Frendraught,[1] of the lands of Achenus, etc., of the Forest of Dwne and of the lands of Awne in Boyne, with many others in the county of Banff,[2] together with a grant of the office of Forester of the forests of Awne and Boyne.[3] A charter was granted in the reign of the same monarch to Gilbert Hay of the lands of Brechin, co. Forfar, by William de Montealto, of Kinblathmonth.[4] He married Mary, daughter and coheir of Sir Simon Fraser of Oliver Castle, who was executed by Edward I. 1306. With her he acquired Oliver Castle and a considerable estate in co. Peebles, and his descendants have since quartered the Fraser arms. He had issue:—

1. THOMAS, his heir.

SIR THOMAS DE HAYA of Locherworth, said to have been son and heir of the last. Douglas says that he was the Thomas Hay who had a charter from King Robert I. of a third part of the lands of Lucheris, which the Earl of Buchan gave to Roger Comyn;[5] and the 'Thomas Hay' who in the reign of David II. (1329-71) granted a charter to Thomas Monypenny of Pitmilly of part of his lands within the barony of Lucheris, in Fifeshire,[6] but in none of these entries is he designed as of Locherworth. He was knighted before 17 September 1307, and joined Bruce at Christmas 1308, his lands in consequence being forfeited.[7] By an inquisition taken before the Sheriff of Edinburgh, 20 February 1311-12, as to the value of the lands and tenements of various Scottish enemies who had withdrawn from the English King's allegiance, it was found that Sir Thomas held in Lothian within the tenement of Heriot, Rasawe or Raeshaw, Lediset or Ladyside, and Garvok worth £10 in time of peace and 40s. now, also in Easter Fenton £10 of land in time of peace, now 100s.; also Philipston worth £10 in time of peace, now 40s.,[8] and these were granted by Edward III. to Robert Hastang 20 March following.[9] He died shortly before 15 October 1335. He married

[1] Robertson's *Index*, 1, 26. [2] *Ibid.*, 16, 9, 15. [3] Chalmers's *Caledonia*, vii. 252. [4] Robertson's *Index*, 18, 66. [5] *Ibid.*, 20, 119. [6] *Ibid.*, 58, 11. [7] *Cal. of Docs. Scot.*, iii. 245. [8] *Ibid.*, 245. [9] *Ibid.*, 258.

Lora, widow of Richard de Bykretone, daughter and heir of Sir William de Cuningesburgh, with whom he acquired the lands of Tullybody in Clackmannan.[1] This Edward I. seized, intending to build a castle thereon, but after his death Sir Thomas presented a petition to Edward II. for compensation of one year's rent value 80 marks. A writ was accordingly issued under the King's Seal of Scotland dated at Sanquhar 28 August 1307, and by the inquisition made at Rutherglen 17 September following before Sir Aylmer de Valence, Warden of Scotland, by William Marchal and others, it was found that the said land of Tolybothevile was formerly William de Cuningisburgh's, who gave it with Lora, his daughter and heir, to Richard, son of Sir John de Bykretone, in frank marriage, viz. to them and the heirs of their bodies lawfully begotten, and if they died without such heirs, to the said Sir John de Bykreton for his life, under reversion to Lora and her heirs; that Richard died without an heir by Lora; that the said Sir Thomas de la Haye lawfully married her; that the said Sir John de Bykretone, the liferenter, died about fifteen days before last Pentecost; and Lora and her heirs are the true heirs; the land worth 40 marks in all times.[2] He had issue:—

1. WILLIAM, his heir.
2. *John* de Hay, of Tullybody, was doubtless a son or grandson.[3] A John de Haya is mentioned 1358-59 as in possession of the forests of Awne and Boyne, when the Sheriff was unable to obtain any payment from him.[4] On 16 January 1362-63 John de Hay of Tullybody obtained a charter from King David II., giving him liberty to reduce into culture the lands between the River Spey and the rivulet of Tynot in the forest of Awne, and to hold the same lands of which his predecessor Gilbert de Hay obtained a charter from Robert I.[5] In 1368 he paid 100 merks to John Logy of that Ilk for the marriage of Margaret (not other-

[1] *Cal. of Docs. Scot.*, iii. 13. [2] *Ibid.*, 13. [3] The dates hardly allow of his being a son; besides, from an inscription in the Church of Cullen quoted by Douglas (*Baronage*, i. 138), Helen Hay, granddaughter of John Hay of the forest of Boyne, Enzie, and Tullibovel, married Andrew Duff of Maldavit. There were probably two successive John Hays of Tullibody. [4] *Exch. Rolls*, i. 549. [5] *Reg. Mag. Sig.*, folio vol. 24, 22.

wise designed) his wife.[1] He was probably the father of the

John Hay of Tullybody who married, 1388, Margaret, 'the King's niece,' apparently a daughter of Sir John Stewart of Ralstoun. In the Chamberlain's accounts for 1388 and 1389, and in the Customs accounts of Banff, February 1390-91, there are entries of payments made on behalf of the King to Sir John Hay in marriage with the King's niece.[2] He was dead before June 1418, when the lands of the forests of Boyne and Awne were in the King's hands by the death of John Hay, the late proprietor, and by reason of ward.[3] He had issue:—

Egidia or *Giles*, only daughter and heiress, married, as first wife, in or about 8 January 1426-27, Alexander (Seton), first Earl of Huntly. (*See that title.*) This marriage was annulled some years later before 26 March 1438. She had a son, ancestor of the Setons of Touch, etc.

Sir William de Haya, of Locherworth, son and heir of the last, succeeded, on or about 15 October 1335, and had a gift of his 'Barony of Loghorward,' which had been in the King's hands since that date, from Edward III. 7 September 1336.[4] Two-thirds of this, however, was declared escheated 24 August 1337.[5] Crawfurd[6] says that he was taken prisoner at the battle of Neville's Cross, near Durham, 17 October 1346, but elsewhere a William de Haya appears in the list of those killed there.[7] If so, this must have been another William de Haya, as William de Haya of Locherworth was one of the Commissioners appointed to treat with the English concerning the liberation of King David II. in 1354,[8] and he was still living 3 October 1357.[9] His wife is said to have been a Douglas, and he had issue:—

1. Thomas, his heir.

Sir Thomas de Haya, of Locherworth, son and heir of the last. As 'fils et heir Willialme del Hoy, seigneur de Lochiwort' he was one of the hostages for the liberation of David II. specified in the Treaty of 13 July 1354,[10] and under the designation of 'Thomas fitz and heir William de la Hay de Lochorward' was one of those hostages when that

[1] *Antiq. Aberd. and Banff*, iii. 133. [2] *Exch. Rolls*, iii. 230, 692, 700; iv. p. cxiii. [3] *Reg. Aberdonense*, i. 216. [4] *Cal. of Docs. Scot.*, iii. p. 332. [5] *Ibid.*, p. 383. [6] *Peerage*, 484. [7] Dalr. *Ann.*, ii. 108. [8] *Fœdera*, v. 794. [9] See under his son. [10] *Acta Parl. Scot.*, i. 519; *Fœdera*, v. 792; *Cal. of Docs. Scot.*, iii. 1576.

Treaty was concluded 3 October 1357,[1] being given to the custody of Henry Strother, Sheriff of Northampton. He is mentioned as 'Thomas de Haye' as being in the custody of the Sheriff of Northampton 20 May 1362, and 20 June 1363,[2] and would seem still to have been in custody 16 May 1369, when he got a safe-conduct from Edward III. to go to Rome.[3] He was back in Scotland before 1373, when he is mentioned as Sheriff of Peebles.[4] He is the first of the name who appears as Sheriff of Peebles, an office which became hereditary in his family, and was enjoyed by them for three centuries till the second Earl of Tweeddale sold it, together with his whole estates in Tweeddale to William, Duke of Queensberry in 1686.[5] Thomas de la Haye had a share of the 40,000 francs which John of Vienne, Admiral of France, brought with him in 1385, as a present from the French King to the principal Scottish nobles, 400 livres Tournois being allotted as his share 26 November.[6] At Dundee on 29 August 1392, Thomas de Haya, Lord of Lochorwart, granted a charter of the lands of Glaswell and Torburne in the barony of Kyrimure, co. Forfar, to his cousin Walter de Moravia of Drumsargart. This charter was confirmed by William (of Douglas), Earl of Angus, 8 March 1422, and by one under the Great Seal[7] about 1488. He appears to have died shortly after 1392, and certainly before 1 December 1399, when his wife was living, a widow.[8] Douglas says that he married Christian, sister of Cardinal Walter Wardlaw, Bishop of Glasgow, but if so, she must have been his first wife, and it is more probable that she was the wife of a son of his, as suggested below. He certainly married Joanna, eldest of the four daughters and coheirs of Hugh Gifford, of Yester, who, 1 December 1399, as 'Joanna Hay, Lady Yester, spouse of the deceased Sir Thomas Hay, of Louchquerwart,' confirmed to John Maitland the lands of Lethington originally granted to his grandfather Sir Robert Maitland by Hugh Gifford of Yester. She was still alive in January 1400-1.[9] With her Sir Thomas acquired a fourth part of the lands and

[1] *Fœdera*, vi. 35, 48; *Cal. of Docs. Scot.*, ii. 426; iii. p. 434. [2] *Fœdera*, vi. 364, 419; *Cal. of Docs. Scot.*, iv. 16, 19. [3] *Fœdera*, vi. 619. [4] *Exch. Rolls*, ii. 426. [5] *Caledonia*, iv. 922. [6] *Fœdera*, vii. 485. [7] *Reg. Mag. Sig.*, 1424-1513, No. 1729; cf. also *Laing Charters*, pp. 98, 99. [8] *Acta Parl. Scot.*, vii. 136. [9] *Ibid.*

barony of Yester, Morham, and Duncanlaw, and the lands of Giffordsgate in Haddington, and henceforth Yester became the principal seat of the family, and finally their territorial designation,[1] and in right of their descent from her they took and quartered the arms of Gifford. He had issue:—

1. William, his heir.

   Gilbert de Haia, son of Thomas de Haia, who was at school at St. Andrews with the King's son in 1384 and 1386, when there are payments by the Chamberlain for his fees and an allowance of 32s. for his dress, may also have been a son, but of this there is no direct evidence.

Sir William Hay of Locherworth, son and heir of the last, succeeded his father between 1392 and 1399. He first occurs in 1387, when as 'William de Hay, Sheriff of Peebles,' he gives up his accounts by Deputy,[2] and was knighted between that date and 14 March 1406-7, when he had two safe-conducts as a friend of and a hostage for the Earl of Douglas.[3] On 27 April 1409 a safe-conduct was granted to 'Willielmus de Hay de Lochawart, Vicecomes de Peebles, miles,' one of the Commissioners appointed to treat with the English,[4] and he had an allowance for his expenses May.[5] He is also mentioned as having an annuity of £7, 8s. 4d. from the customs of Haddington.[6] He was one of the Scottish Commissioners for the same purpose 21 April 1410, who arranged a truce with England at Hawdenstank 21 April 1411,[7] and appears as a witness to a charter of the Regent

1 It was doubtless in memory of this, the third fortunate marriage with an heiress within five generations, that the third Marquess of Tweeddale in 1713 made the following verses, which were, however, but a pun on those relating to the House of Austria:—

> '*Aulam alii jactent, felix Domus Yestria, nube,*
> *Nam quæ sors aliis, dat Venus alma tibi.*'

'Let others boast of court influence: thou happy House of Yester hast only to marry: for the good things which fortune bestows on others, benign Venus gives to thee.' Father Hay in his *Genealogie of the Hayes of Tweeddale* (p. 39), says: 'It is to be observed that the whole fortune of this familie came by marriage, and whatever hath been purchased, was by the selling of land that had come in that way.' 2 *Exch. Rolls*, iii. 167. 3 *Rotuli Scotiæ*, ii. 182, 183; *Cal. of Docs. Scot.*, iv. 729. 4 *Ibid.*, ii. 190; *Fœdera*, viii. 584. 5 *Exch. Rolls*, iv. 76. 6 *Ibid.*, iv. 115. 7 *Cal. of Docs. Scot.*, iv. 793.

Albany, to his cousin Dugal MacDowal of a fourth part of the lands of Yester, Duncanlaw, and Morham, dated at Edinburgh 11 March 1409-10,[1] and to two others of Archibald, Earl of Douglas, dated there 29 February 1413[2] (*sic*) and 27 February 1416-17.[3] It was this Sir William who founded, in 1420, the collegiate church at Yester called Bothans, for one Provost, six prebendaries and two singing boys, and he endowed it with sundry lands and rents.[4] According to Chalmers[5] he changed his residence from Locherworth to Yester, and sold the greater part of his ancient patrimony, with the manor, to Sir William de Borthwick, retaining only Little Locherworth and its pertinents. This statement is confirmed by a letter under the Great Seal 2 June 1430, which grants Sir William Borthwick licence to erect a castle at the Mote of Locherwort.[6] He died in 1421, before August.[7] Douglas says that he married, first, Johanna Gifford, the heiress of Yester, by whom he had three sons and three daughters, and secondly, Alicia, daughter of Sir Thomas Hay of Erroll, by whom he had another son and daughter. Joanna Gifford, as already stated, was in reality his mother, and in lieu of any evidence to the contrary it may reasonably be assumed that Alicia Hay was his only wife and the mother of all his children, as she most certainly was of the two sons David and Edmund. This Alicia Hay survived him about thirty years, and considerably augmented the revenues of the collegiate church of Yester. By a charter dated at Yester 23 February 1447-48 she settled on the church the lands of Blanes within the constabulary of Haddington, together with various rents from tenements in the town of Haddington, amounting to £4, 2s. 6d. for the support of a chaplain, also sundry lands with the houses and buildings erected thereon, which the Lord David de Hay, of Yester, Knight, son and heir of the said Alicia, had conceded to her for a residence for the chaplain and his successors. Among the witnesses to this charter, which was confirmed by the King 23 February 1449-50,[8] are Edmund

[1] *Reg. Mag. Sig.*, folio vol. 245, 4. [2] *Ibid.*, 19 April 1431. [3] *Ibid.*, 24 May 1429. [4] Keith's *Catalogue*, 289. The Sir William de Haya who had a safe-conduct from the English King 9 June 1425 (*Rotuli Scotiæ*, ii. 253), as a commissioner to Rome, must have been another person. [5] *Caledonia*, iv. 822. [6] *Reg. Mag. Sig.* [7] See dispensation, August 1421, Andrew Stewart's *Genealogy of the Stewarts*, 452. [8] *Reg. Mag. Sig.*, at date.

de Haya of Linplum, son of the said Alicia, Thomas de Haya, and Archibald de Haya. They had issue:—

1. *William.* He is mentioned in an indenture dated 1418, between 'nobilem virum Willielmum de Haya, Vicecomitem de Peebles, cum consensu Domini Willielmi filii sui et hæredis,' and William, Bishop of Glasgow.[1] He died *v.p. s.p.*
2. Sir Thomas, his successor.
3. Sir David, heir to his brother.
4. *Edmund* of Talla. He had a charter from David, his brother-german, of Yester, Duncanlaw, and Morham, to hold until David should infeft him, or his heirs, in eight merks of lands, 7 March 1436-7,[2] and he had a further charter from his said brother of the lands of Tallow, in the barony of Oliver Castle, in the county of Peebles, and of the lands of Kyngildurris and of Lynplum, in the barony of Duncanlaw, in the county of Haddington, with remainder to the heirs-male of his body, whom failing, to those of David, dated 12 August 1439.[3] He had had charters of part of Duncanlaw from Isobel de Foresta 4 February 1438-39, and of part of Lynplum from Dugal Macdowal of Macarston 15 May 1439, both of which were confirmed by a grant under the Great Seal 16 November 1439.[4] In 1441-42, and again in 1445-46, he had a gift of £10 from the King,[5] and 1449-50 paid £36, 13s. 4d. to the Exchequer for the wardship of the fourth part of the lands of Polgavy and Telyne;[6] on 9 December 1449 he had a grant from the King to himself and to Annabella, his wife, of the marriage of William de Maxwell of Teyling.[7] He was witness to a charter 10 December 1450,[8] and was still living, 1451,[9] but was dead before 13 October 1466, when Sir William Hay of Tallow, 'son of the deceased Edmund ye Hay of Tallow,' had a suit against his uncle Sir David Hay of Yester.[10] He married Annabella, said to have been a daughter of Robert (Boyd), first Lord Boyd. If so, she apparently was married,

[1] Crawfurd's *Peerage*, 485. [2] *Reg. Mag. Sig.*, 16 November 1439. [3] *Ibid.* [4] *Ibid.* [5] *Exch. Rolls*, v. 122, 192. [6] *Ibid.*, v. 393. [7] *Reg. Mag. Sig.* [8] *Ibid.*, 20 May 1452. [9] *Exch. Rolls*, v. 488. [10] *Acta Auditorum*, 5.

secondly, as first wife, to Sir John Gordon of Lochinvar, who died after May 1517. She was certainly married to Edmund Hay before 9 December 1449, and a comparison between this date and those of the ascertained daughters and sisters of Lord Boyd will show that she is far more likely to have been his sister than his daughter.[1] Edmund Hay was ancestor of the Hays of Barra, Rannes, Mountblairy, Cocklaw, Faichfield, Ranfield, Linplum, Alderstown, Mordington, etc.[2]

5. *Margaret*, betrothed, 12 December 1410, to William (Douglas), second Earl of Angus, whom she subsequently married, a papal dispensation for the marriage being granted 1425. He died in the latter part of 1437, leaving issue.[3] She was living a widow 1484.[4]
6. *Jean*, married to Sir Alexander Home of Home and Dunglas, and had issue.[5] He was killed at the battle of Verneuil 17 August 1424.
7. *Alicia*. A papal dispensation was granted, August 1421, for the permitting George (Dunbar), Earl of March, and 'nobilis mulier Halysia Wilhelmi de Haya, Militis, quondam domini de Vhestyr, nata domicella,' to marry, notwithstanding they were within the fourth degree of consanguinity, and that she was within the second degree to the deceased Beatrice, first wife of George. It is uncertain whether this marriage took place, but if so, it must have been a first marriage, as Alicia, daughter of Sir William Hay of Locherworth, married Gilbert Hay, son and heir-apparent of Sir William Hay of Erroll, and by him, who died 7 September 1436, was mother of the first Earl of Erroll.[6]
8. *Elizabeth*, married to her second cousin Duncan Macdowal of Makerstoun, and they had a charter of the fourth part of Yester, Duncanlaw, and Morham, on the resignation of Dugal Macdowal, father of the said Duncan, 11 April 1440.[7]

John de Hay of Oliver Castle may have been a son.

[1] See vol. v. 142, 146-147. [2] Douglas. [3] See vol. i. 175. [4] *Genealogie of the Hayes of Tweeddale*, 20. [5] See vol. iv. 445. [6] See vol. iii. 563. [7] *Reg. Mag. Sig.*

He was party to the action brought by Edward Hunter of Polmude, by which the latter sought to have it declared whether Sir David de Hay of Yester or John de Hay of Oliver Castle was the superior of that place, and which was dismissed, 5 December 1475, owing to the non-appearance of Hunter.[1] In a MS. pedigree of Hay, drawn up during the first half of the nineteenth century, the following additional sons are named, Mr. Andrew Hay, Nicholas Hay, Prebendary of Bothans, Henry Hay.

SIR THOMAS HAY of Locherworth and Yester, second but eldest surviving son and heir of the last, to whom he was served heir in the lands of Eccermuir, or Auchtermuir, 1422.[2] He was originally intended for the Church. On 23 February 1417-18 Thomas Hay, clerk of Glasgow diocese, son of William Hay, Sheriff of Peebles, was dispensed to hold a benefice notwithstanding that he was in the eighteenth year of his age.[3] Thomas, *Dominus de Yestyr*, was one of the hostages nominated for the ransom of King James I. 4 December 1423, when his annual revenue was estimated at 600 merks,[4] and Thomas de Haya de Yestyr had a safe-conduct to meet the King at Durham 13 December 1423, and another 3 February 1423-24.[5] He was knighted between that date and 12 May 1425, when as Sir Thomas he was a witness to a grant of William, Earl of Angus,[6] and was one of the substituted hostages for King James 16 July following.[7] As 'Thomas of Hay, Lord of Loghorward and Yhestre,' he was sent from York to Pontefract Castle 14 February 1426-27,[8] and was committed to the Tower of London 8 June 1429.[9] He occurs as still a prisoner in England 20 July 1430,[10] but was exchanged 20 June 1432.[11] He died, unmarried it is said, the same year, and certainly before 6 April 1434.[12]

SIR DAVID HAY of Locherworth and Yester, Sheriff of

[1] *Acta Auditorum*, 38. [2] Douglas. [3] *Reg. Vat.*, 329, 78. [4] *Fœdera*, x. 308. [5] *Ibid.*, 309; *Rotuli Scotiæ*, ii. 244, 245; *Cal. of Docs. Scot.*, iv. 941. [6] *Reg. Mag. Sig.*, 1 May 1431. [7] *Fœdera*, x. 348; *Rotuli Scotiæ*, ii. 254; *Cal. of Docs. Scot.*, iv. 983. [8] *Ibid.*, 1004. [9] *Ibid.*, 1028. [10] *Rotuli Scotiæ*, ii. 270. [11] *Ibid.*, 277. [12] Inventory *penes* Fraser Trustees.

Peebles, next brother and heir of the last, being third son of Sir William Hay of Locherworth, by his wife Alicia Hay of Erroll. He was served heir to his said brother 6 April 1434,[1] was present at the Grand Council held at Stirling 10 August 1440,[2] and was witness to a charter of Robert, Earl of Mar, 24 January 1440-41.[3] After that there is no further record of him until 10 January 1451-52, when he obtained from Robert Boyd of Kilmarnock, afterwards first Lord Boyd, a charter of his fourth-part of the lands and barony of Yester, Morham, Duncanlaw, and the lands of Giffordgate, in exchange for the barony of Teyling, in Forfarshire, Boyd, however, reserving for himself the advowson of the collegiate church of St. Bothans. This exchange was confirmed by the King two days later.[4] Boyd was the great-grandson of Thomas Boyd of Kilmarnock by his wife Alice, second daughter and coheir of Hugh Gifford of Yester,[5] and by this transaction Sir David reunited the portions of the eldest and second daughters, and the Hays thus acquired half of Yester, the remaining half not being obtained until 1512. The same year he had a charter of the lands of Achmore from the first Earl of Erroll.[6] As 'Sir David Hay of Locherworth' he gave up his accounts as Sheriff of Peebles 12 July 1455 and 27 September 1456,[7] but was the last of the family to be so designated, Yester now taking its place as their territorial title. He was pursued in Parliament by his nephew Sir William Hay of Talla, touching the occupation of the lands of Morham, called 'Boydis Quarter' and Linplum, the case being determined against him 13 October 1466, and calling forth a protest from his son and heir John;[8] gave up his accounts as Sheriff of Peebles by his deputy Thomas Hay 14 June 1471,[9] and was present in Parliament as a Baron, December 1475.[10] He died between this and 1 March 1478-79.[11] Sir David brought an action against Dugal Macdowal of Makerstoun for the wrongful occupation of Morham Castle, and the said Dugal was ordered to deliver that place to Sir William Hay of Morham [and Linplum] and to receive

[1] Inventory *ut sup.* [2] *Acta Parl. Scot.*, ii. 56. [3] *Reg. Mag. Sig.*, 30 October 1444. [4] *Ibid.*, 12 January 1451-52. [5] See vol. v. 140. [6] See vol. iii. 564. [7] *Exch. Rolls*, vi. 85, 173. [8] *Acta Auditorum*, 5. [9] *Exch. Rolls*, viii. 805. [10] *Parl. Rec.*, 192. [11] *Acta Parl. Scot.*, ii. 121; *Acta Auditorum*, 74.

in exchange from the said Sir William a grant of the lands of Linplum and Duncanlaw of equal value.[1] He married Mary, relict (married before 1423) of Alexander (Forbes), first Lord Forbes (who died 1448), only daughter of George (Douglas), first Earl of Angus, by the Princess Mary, daughter of King Robert III. She had previously, in 1409, when she must have been a child, been betrothed to a son of Sir William Hay of Locherworth,[2] possibly David's elder brother William, who died young *v.p.* They had issue:—

1. JOHN, his heir, afterwards first Lord Hay of Yester.
2. *Andrew.* Rector of Biggar in 1469,[3] when he must have been under age. He was apparently[4] the Maister Andrew Hay, Provost of Bothans, who brought a suit in Parliament, in December 1475, against Robert, Lord Fleming, which he won, Lord Fleming being adjudged to pay him 10s. and 8d. for the debt.[5]
3. *Margaret*, married to Sir Niel Cuningham of Barns, co. Fife.[6]

Thomas, Sheriff Depute of Peebles 14 June 1471,[7] may have been a son. He was dead before 6 May 1491 when Christian Hay, widow and executrix of Thomas Hay, the late Sheriff Depute of Peebles, pursued in Parliament Thomas Hunter and others for debts severally owing by them to her husband,[8] for which he was adjudged to pay her 10*l.*[9] She was still living 12 February 1491-92.[10]

I. JOHN HAY of Yester, afterwards (1488) first Lord Hay of Yester, Sheriff of Peebles, eldest son and heir of the last, was born about 1450.[11] He had a charter as 'son and heir-apparent of Sir David Hay of Yester,' of the barony of Oliver Castle and of the lands and superiorities in the county of Peebles, which Robert, Lord Fleming, had resigned in his favour, in exchange for Sir David Hay's lands in the barony of Biggar,[12] 12 July 1470; succeeded his father

[1] *Acta Auditorum*, 35. [2] See vol. i. 174. [3] Douglas. [4] *Caledonia*, iv. 512. [5] *Ibid.*, quoting *Parl. Rec.*, 192. [6] Douglas. [7] *Exch. Rolls*, viii. 805. [8] *Acta Auditorum*, 148. [9] *Ibid.*, 149. [10] *Ibid.*, 163. [11] *Complete Peerage.* [12] *Reg. Mag. Sig.*

between 1475 and 1479, when he had sasine of Locherworth, Yester, Duncanlaw, Morham, Ugstoun, and Blankes, in Edinburgh, of Oliver Castle, Jedworthfield and the sheriffdom, in Peebles, of Thankertoun, Nethertoun, the mill of Strathavin and Glengavill in Lanark, and of Polgavy in Perth.[1] He was present in the Parliaments held at Edinburgh 1 March 1478-79, 18 March 1481-82, 16 February 1483-84, 17 May 1484, and 10 October 1487,[2] and was created a Peer as LORD HAY OF YESTER, 'by solemn investiture,' in Parliament 29 January 1487-88.[3] He is named as serving on Committees that same day and again 17 October 1488.[4] On 20 June 1491, he granted a charter of the lands of Newton and Straithavane in Lanark, resigned by William Hay of Menzion, to John Chawmer and Mariota Hay, his wife, daughter of the said William Hay,[5] which charter is important as being witnessed by a Thomas Hay, his then son and heir, whose existence has not previously been suspected. He had a grant from the King of the lands and barony of Locherworth resigned by Patrick, Earl of Bothwell, 20 September 1500.[6] He was fined for being absent from the Justice-ayre of Roxburgh 1501;[7] and sold his fourth-part of the lands of Polgavy, in Perth, to David Maxwell of that place 15 February 1503.[8] This is all that has been ascertained concerning him. He died before 9 November 1508.[9] He married, first, Mary, daughter of John (Lindsay), first Lord Lindsay of the Byres; they had a charter 1462,[10] and she was dead before 1468. He married, secondly (contract dated 1468[11]), Elizabeth, daughter and eventual heir of George Cunningham, son and heir of Sir William Cunningham of Belton. She joined her husband in two grants of lands in the bailiery of Cunningham in Ayr 12 February 1506-7,[12] and was living a widow 7 October 1509.[13] He had issue:—

1. *Sir Thomas*, Master of Yester (by first wife), not named by Douglas. He was certainly living and in

[1] *Exch. Rolls*, ix. 679, 680. [2] *Acta Parl. Scot.*, ii. 120, 137, 153, 167, 175. [3] *Ibid.*, ii. 181. [4] *Ibid.*, 184, 212. [5] *Reg. Mag. Sig.*, July 1491. [6] *Ibid.*, 12 April 1504. [7] *Exch. Rolls*, ix. 327. [8] *Reg. Mag. Sig.* [9] Inventory *penes* Fraser Trustees. The *Complete Peerage* says that he died about 1500, and certainly before 1511-12. But the year 1508 can be satisfactorily established by this and other evidence. [10] Crawfurd's *Peerage*, 485. [11] *Ibid.* [12] *Reg. Mag. Sig.* [13] *Ibid.*

Scotland, and then his father's heir, 20 June 1491,[1] but nothing else appears certain about him except that he must have died *v.p.* He is said to have married Elizabeth,[2] daughter of Alexander (Home), second Lord Home, but if so, this marriage must have taken place before April 1490, when she must have been very young, as her parents were not married till after 30 May 1476, and it was probably only a child marriage on her part. On 28 April 1490 she appears as the wife of Lord Hamilton, afterwards first Earl of Arran, with whom she lived till November 1504, when he obtained a divorce from her on the ground that she had been previously married to the above-named Thomas Hay, and that he was still alive at the time of her second marriage.[3] It is said that Thomas Hay had gone abroad and was supposed to be dead, but had reappeared and asserted before a notary that Elizabeth Home was his lawful wife and could not therefore be rightly joined in marriage with Arran.[4] In January 1526-27 Matthew, Earl of Lennox, disputed the legitimacy of the second Earl of Arran (a son of the first Earl by his second wife), alleging that the divorce of 1504 was not valid inasmuch as Elizabeth Home had never been the wife of Sir Thomas Hay. According to Lennox's version, Sir Thomas 'married Dame Kateryn Burtyke [Borthwick], sister to William, Lord Burtyke, about 1489, and the same Sir Thomas was slayne by the theves of Asedale 1491, and left a sun behynd him of a yere old, and that the wyffe of Sir Thomas Hayes after his slaughter maryed Sir Oliver Sinclar, Lord of Roslinge, and her sune by the sayd Sir Thomas lyved tyll he was eighteen years of age.'[5] This son,

(1) ——, Master of Yester, must have been born in or about 1490, and died, unmarried, 1508.

2. Sir John of Snaid (by second wife), afterwards for a few months, in 1508-9, Master of Yester, his successor.

[1] *Reg. Mag. Sig.*, July 1491. [2] See vol. iv. 454. [3] *Cal. of Docs. Scot.*, iv. 1739, App. 38. [4] See vol. iv. 359. [5] *Cal. of State Papers, Scot.*, i. 691, 692.

3. *Mr. George* [not Alexander] of Menzion, appears under this designation as a witness to a charter of his father 15 February 1503-4. He was ancestor of the Hays of Menzion. There is a confirmation under the Great Seal 11 January 1529-30 to George Hay of Menzion, of the half-part of the lands of Belton and of the lands of Gammilstoun and Redischill in Edinburgh, which were held of the King, by Lord John Hay of Yester, by service of ward in settlement of a debt due to the said George, but reserving power of re-entry to Lord John Hay of Yester and his heirs within seven years.[1] The lands of Gammilston and Redischill were apparently redeemed, at least they were sold by Lord Hay to George, Lord Seton, 22 June 1531.[2]
4. *Margaret*, married, in 1491,[3] to William (Borthwick), fourth Lord Borthwick, who possibly fell at Flodden.[4] They had issue.
5. *Isabel*, married, before 1496,[5] to Robert Lauder of the Bass.

II. John, second Lord Hay of Yester, Sheriff of Peebles, second but eldest surviving son and heir of the first Lord, by his second wife. Douglas, who knew nothing of the existence of his elder brother Thomas and the latter's son, who were successively Masters of Yester, and misled by the fact that this John is always designed in all charters during his father's lifetime as Sir John Hay of Snaid, makes him a younger son and invents an elder half-brother John by the first wife, whom he makes succeed as second Lord. That it was Sir John Hay of Snaid who succeeded his father is established beyond doubt by the charter of 4 May 1482, wherein he is expressly designed *second* son of the Lord Hay of Yester, his elder half-brother Thomas being then alive and not dying till 1491. He was born in or about 1469-70, and first occurs 4 May 1482, when he had a charter of the barony of Snaid, co. Dumfries, to 'John Hay, *second* son of John Hay of Yester, procreated betwixt him and Elizabeth Cunningham his wife, daughter of George Cunning-

[1] *Reg. Mag. Sig.* [2] *Ibid.*, 28 July 1531. [3] Crawfurd's *Peerage*, 485. [4] See vol. ii. 107. [5] Crawfurd's *Peerage*, 485.

ham of Belton,' from the said George. This was confirmed by the King 17 June following.[1] He was knighted between 26 June 1501, when, as John Hay of Snaid, he gave up the accounts of Peebles as depute for his father,[2] and 15 February 1503-4, when he witnessed, as Sir John Hay of Snaid, a charter of his father.[3] On 24 May 1505 he had another charter under the Great Seal of the barony of Snaid, resigned by John Cunningham of Wester Barns,[4] and a further charter of 23 August following confirms the sale by him, therein designed 'Sir John Hay of Snaid,' of certain lands at Snaid to the said John Cunningham.[5] By the death of his nephew in or about 1508 he became Master of Yester, and succeeded to the Peerage before 9 November 1508, having sasine of Lochorwort, in Edinburgh, Lyne, and others in Peebles, and of Yester, and others in Haddington as John Hay 9 November 1508,[6] and was served heir to his father in the lands of Glaswell and others, 4 March 1508-9.[7] He had a charter from the King 2 February 1511-12 of the lands of Oliver Castle and Glenrusk in Peebles, and of Todrig in Selkirk,[8] and sasine of Thankertoun in Lanark 1512.[9] Shortly before 8 November 1512 he resigned his lands of Morham in Haddington to Adam, Earl of Bothwell, and obtained from the Earl in exchange the remaining half of the lands and barony of Yester, with the patronage of the collegiate church at Bothans, and of the lands and barony of Duncanlaw,[10] and had confirmation to himself and his heirs by a charter under the Great Seal 10 November following.[11] He was killed at the battle of Flodden 9 September 1513. He married Elizabeth Crichton, who was probably of the House of Sanquhar.[12] She survived him, and was living 1519, when the third Lord made a grant of lands with consent of Elizabeth Crichton his mother.[13] They had issue:—

1. John, his successor.
2. *George*, of Oliver Castle.[14]
3. *William*, of Nether Menzion and Monktoun, an-

[1] *Reg. Mag. Sig.* [2] *Exch. Rolls*, xi. 308. [3] *Reg. Mag. Sig.* [4] *Ibid.* [5] *Ibid.* [6] Inventory *penes* Fraser Trustees; *Exch. Rolls*, xiii. 658. [7] Scrimgeour Inventory, Lauderdale Charter-chest. [8] *Reg. Mag. Sig.* [9] *Exch. Rolls*, xiii. 163. [10] *Reg. Mag. Sig.*, 8 November 1512. [11] *Ibid.*, 10 November 1512. [12] Wood's Douglas. [13] Crawfurd's *Peerage*, 485. [14] *Ibid.*

cestor of the Hays of Monktoun. His male line failed on the death of George Hay of Monktoun in 1643.

4. *Mr. Thomas*, 'brother of John, Lord Hay,' Preceptor of the Hospital of St. Leonard's, near Peebles, in 1520-21 had his first payment as such, of the two marks annually due from the revenue of Peebles for one year before 8 February 1521-22.[1] He was still alive 26 September 1552 when he received payment for the past year.[2] This is the last time he is named; the payments hereafter are to the Preceptor, until 21 August 1559, when they cease altogether.
5. *Elizabeth* (?), married to James Tweedie of Drummelzier, and had issue.[3]
6. *Christian*, married to William Stewart of Traquair, and had issue.[4]
7. *Marion*, married to Mr. George Broun of Colstoun, co. Haddington. He died before 15 February 1519-20,[5] and she died in June 1564.[6] The dowry of this lady is said to have been the famous 'Colstoun pear,' which, according to a legend, was enchanted by Sir Hugh Gifford of Yester, of necromantic celebrity, in the middle of the thirteenth century.
8. *Elizabeth*, married to William (Abernethy), fifth Lord Saltoun. (*See title Saltoun.*[7]) The will of Dame Elizabeth Hay, Lady Saltoun, was confirmed at Edinburgh 26 March 1576.[8]

III. John, third Lord Hay of Yester, eldest son and heir of the last, had a charter under the Great Seal on 7 October 1509, to himself and Elizabeth Douglas his wife, of certain lands in Hoprew, co. Peebles, and in Ugstown, co. Haddington, resigned in his favour by his father,[9] succeeded to the Peerage 9 September 1513, and, as Sir John Hay of Hoprew, had sasine of the lands and baronies of Yester, Locherworth, Hoprew, Snaid, 3 November following.[10] He was a Commissioner for holding Parliament 6 July 1525, 12 June 1526, 8 September 1528, and 12 March 1542-43,[11] being

[1] *Exch. Rolls*, xiv. 446. [2] *Ibid.*, xviii. 180. [3] Crawfurd's *Peerage*, 485. [4] *Ibid.*, 481. [5] *Reg. Sec. Sig.*, i. 3063. [6] *Acts and Decreets*, xliv. 104. [7] See vol. iii. 167, 168. [8] *Edin. Com. Rec.* [9] *Reg. Mag. Sig.* [10] *Exch. Rolls*, xiv. 521. [11] *Acta Parl. Scot.*, ii. 291, 300, 321, 409.

present in Parliament 22 February 1524-25, 10 July 1525, 12 June 1526, 6 April 1531, 7 June 1535, 10 December 1540, and 13 March 1542-43,[1] and serving on the Committee of Dooms 10 July 1526 and 13 March 1542-43,[2] and on that of Causes 13 June 1526;[3] he was one of the Lords who signed the letter to Henry VIII. refusing to remove the Duke of Albany from the guardianship of King James V. 4 July 1516, and the Treaty with England 7 October 1517.[4] On 22 June 1531 he sold his lands of Gammilstoun and Redischill in the barony of Yester to George, Lord Seton.[5] He died before July 1543.[6] He married, first, before 17 September 1509,[7] Elizabeth, sister to Archibald (Douglas), sixth Earl of Angus, daughter of George, Master of Angus; secondly, —— daughter and sole heiress of John Dickson of Smithfield, co. Peebles. He had issue:—

1. JOHN (by his first wife), his successor.
2. *John* of Smithfield (by second wife). He succeeded to his mother's property before 27 May 1528, when as 'John Hay of Smithfield,' he appears as a witness. On 15 February 1542-43 he, with James his son, acquired part of the lands of Posso in Peebles, from Janet Barde, wife of William Geddes, and younger daughter and coheiress of John Barde of Posso, and the same day granted a charter to James Hay his said son, of half his lands of Smithfield, and to the said James and Jonet Gevane his wife, the lands of Swynhope in Peebles, reserving a third to his (John's) wife.[8] He married Janet, daughter of —— Scott, and had issue:—

   (1) *James* of Smithfield, died *s.p.* 1549.
   (2) *Thomas* of Smithfield, grandfather of Sir James Hay of Smithfield, created a Baronet of Nova Scotia 20 July 1635.
   (3) *John*, of Kingsmeadows, whose descendant, John Hay of Haystoun, inherited, in 1683, the baronetcy of 1635 under the destination in the patent. The latter's grandson, James Hay, M.D., was served heir to his great-great-grandfather, John Hay of Kingsmeadows, at Peebles, 9 November 1805, assumed the baronetcy, and was ancestor of Sir Duncan Edwyn Hay of Smithfield and Haystoun, present Baronet.

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[1] *Acta Parl. Scot.*, ii. 288, 292, 300, 332, 339, 356, 410. [2] *Ibid.*, 292, 411. [3] *Ibid.*, 301. [4] *Ibid.*, Sup. 37, 38. [5] *Reg. Mag. Sig.*, 28 July 1531. [6] *Acts and Decreets*, i. 425. [7] *Douglas Book*, iii. 190. [8] *Reg. Mag. Sig.*, 26 February 1542-43.

3. *Thomas*, Provost of Bothans. Douglas makes him a son of the fourth Lord, but this is incorrect. Mr. Thomas Hay, Provost of Bothans, is mentioned as eme and curator of William, fifth Lord Hay of Yester, 30 January 1555-56.[1]
4. *Elizabeth* (said to have been by first wife), married (contract dated 10 April 1527[2]) to George (Seton), fourth Lord Seton.
5. *Beatrix*, married to William Wauchope, younger of Niddrie-Marischal, and died before 1554.[3]

IV. JOHN, fourth Lord Hay of Yester, Sheriff of Peebles, son and heir of the last, by first wife, born possibly about 1510, had a charter under the Great Seal to John Hay, son and heir-apparent of John, Lord Hay of Yester, and to Margaret Livingston, his wife, of the lands of Lyne and Wester Hoprew, co. Peebles, following a resignation by his father, 18 October 1533,[4] and succeeded to the title in or about 1543. Either he or his father made jointly with the Bailies, Council, and community of Peebles a grant of a collegiate church in the parish church of St. Andrew, in Peebles, which was confirmed by Queen Mary 8 June 1543.[5] He was witness to an instrument at Glasgow 5 April 1544.[6] Lisle reports to Suffolk, 7 February 1542-43, that Lord Yester is of the Governor's party.[7] He was at Ancrum Moor 1544,[8] and was present at the Council at Edinburgh relating to the disposal of the prisoners taken there, March 1544-45;[9] was admitted a Privy Councillor before 25 June 1545;[10] attended the Conventions at Stirling 26 June 1545, and at Edinburgh 18 March 1545-46, and sat in Parliament 30 July 1546.[11] He signed the treaty with France against England 26 June 1545,[12] and was taken prisoner at the battle of Pinkie 10 September 1547. Lord Hay of Yester, Sheriff of Peebles, 'sister's son to Douglas,' is mentioned as being a prisoner at Berwick 20 October 1547,[13] and 16 November following Lord Grey of Wilton writes to the Protector

[1] Chambers's *Records of Peebles*, 225. [2] *Acta Dom. Conc.*, xxxvii. f. 136. [3] *Acts and Decreets*, x. 139. [4] *Reg. Mag. Sig.* [5] *Ibid.* [6] *Reg. Episc. Glasg.*, Bannatyne Club. [7] *Hamilton Papers*, i. 406. [8] *Ibid.* [9] *Ibid.*, Shrewsbury to Henry VIII., 5 March 1544-45, ii. 567. [10] *P. C. Reg.*, i. 5. [11] *Acta Parl. Scot.*, ii. 467, 594, 598. [12] *Ibid.*, ii. 595. [13] *Cal. of State Papers, Scot.*, i. 28.

Somerset that 'Sir George Douglas desires his kinsman, Lord Hay of Yester, be "losened" home on sureties.[1] Somerset, however, directed that he was to be sent to the keeping of Sir Roger Lascelles in Yorkshire, and Grey of Wilton reported that he should 'immediately be sent,' 17 January 1547-48.[2] His house of Yester was captured the Friday before 27 February 1547-48, and put in charge of Sir George Douglas with 100 horse,[3] and was held by Captain Bagshot 15 March that year.[4] It was apparently recaptured, as Lord Grey reports, 28 April 1548, the 'House of Yester kept by Spaniards, which I have not seen, but mean to before I depart,'[5] and, 21 May, it was ordered 'to be razed if not soon fortified.'[6] On the conclusion of the Peace with England, April 1560, he returned to Scotland, and was a party to the Band in favour of the Duke of Chatelherault on the latter's resigning the Regency, signed 12 April 1554.[7] Warden of the Middle Marches 23 April 1554;[8] a letter asking him to postpone their meeting on the 10 August that year, to the English Warden, reports him sick and unable to hold a court.'[9] He is generally said to have died in 1557, but this is a mistake. He was elected Provost of Peebles, and presided at the Council meeting 30 September 1555,[10] and died shortly afterwards, and certainly before 30 January 1555-56, when he is referred to as 'vmquhile Johne, Lord Hay of Yester.'[11] He married, probably shortly before 18 October 1533,[12] Margaret, daughter of William (Livingston), fourth Lord Livingston, who survived him, and was living 11 February 1566-67.[13] They had issue:—

1. William, who succeeded.
2. ——, living 28 March 1573, when, as brother of Lord Hay of Yester, he is mentioned as a possible hostage.[14]
3. *Thomas*, provided to the ministry of the Cross Kirk of Peebles 30 October 1566; this he resigned in favour of his nephew, afterwards the seventh Lord, 15 January 1583-84, and he died before 11 June 1584.[15]

[1] *Cal. of State Papers, Scot.*, i. 40. [2] *Ibid.*, 61. [3] *Ibid.*, 85, 93. [4] *Ibid.*, 96. [5] *Ibid.*, 111. [6] *Ibid.*, 114. [7] *Acta Parl. Scot.*, ii. 603. [8] *P. C. Reg.*, xiv. 122. [9] *Ibid.*, 138. [10] Chambers's *Charters and Documents relating to Peebles*, 1165-1710, 1872, p. 217. [11] *Ibid.*, 225. [12] *Reg. Mag. Sig.*, quoted above. [13] *Ibid.* [14] *Cal. of State Papers, Scot.*, iv. 529. [15] *Reg. Mag. Sig.*

4. *Margaret*, married, contract 11 February 1566-67, to Sir Robert Lauder of Poppill.[1] She survived him, and died before 20 February 1583-84, when her testament was confirmed at Edinburgh.[2] Douglas confuses her with Margaret, daughter of the fifth Lord, who married the seventh Lord Borthwick.
5. *Christian*, married to Henry Lauder.[3]

Also a natural daughter,

6. *Elizabeth*, legitimated under the Great Seal 18 August 1558.[4]

V. William, fifth Lord Hay of Yester, Sheriff of Peebles, son and heir of the last, was born about 1537, and succeeded his father between 30 September 1555 and 30 January 1555-56,[5] on which latter date the Peebles Council agreed to elect 'William Hay, son and apparent heir of umquhile John, Lord Hay of Yester,' Provost, on his attaining his majority, in the same manner as his father, on his agreeing to the gift of the Provostry, which he had apparently obtained from the Queen, being declared void. Mr. Thomas Hay, Provost of Bothans, his eme and curator, was to act for him. He was served heir to his father 1559,[6] had sasine of Yester 10 February 1559-60, and of Locherworth, Snaid, etc., 20 August 1560, and of Strathavone, etc., 10 April 1562,[7] and was admitted a burgess of Peebles 15 October 1562, being

[1] *Reg. Mag. Sig.*, 16 July 1574. [2] Edin. Tests. [3] *Edin. Com. Decreets*, 19 February 1589-90. [4] *Reg. Mag. Sig.* [5] Chambers's *Records of Peebles*, 225. [6] Douglas. [7] *Exch. Rolls*, xix. 452, 459, 491. These sasines, though unfortunately they do not agree, all unite to show that he was a minor at the time of his father's death. On 10 February 1559-60 the Sheriff of Edinburgh answers for four years' revenues of the barony of Yester; which had been in the King's hands by reason of the death of John, Lord Hay of Yester, one term (half year) by wardship and three years and one term because sasine has not been taken. This is probably correct, as we know John, Lord Hay, died shortly before 30 January 1555-56, and it would make this William come of age about August 1556. However, the Sheriffs of Peebles and Dumfries and Haddington answer on 20 August 1560 for five and a half years' revenues of the barony of Locherworth and sheriffdom, and the barony of Snaid and the lands of Blans respectively; four and a half years by reason of wardship to last August, and one year because sasine has not been taken. This would make William not of age till August 1559, but inasmuch as it places the death of John in the beginning of 1555, something must be wrong. The Sheriff of Lanark answered for four years' wardship of the lands of Netherton of Strathavone and two years' nonentry 10 August 1562.

the same day elected Provost for one year in the terms of the agreement of 30 January 1555-56.[1] He appears to have been regularly re-elected for many years,[2] but an attempt on his part to persuade the Council to elect him for life was resolutely rejected by them 24 February 1564-65.[3] He was one of the signatories to the ratification of the Treaty of Berwick 10 May 1560, and took his seat in Parliament 1 August following.[4] Randolph reports to Cecil, 15 August, that Lord Yester came to town (Edinburgh) yesterday,[5] and the next day he signed the address from the Scottish nobles to Elizabeth, praying her to marry the Duke of Chatelherault.[6] He would seem to have been at first against the marriage of the Queen with Darnley, it being reported, 3 February 1564-65, that he would oppose Lennox and 'hang with the Dowglasses,'[7] but after the marriage became an accomplished fact he supported Mary against the Lords of the Congregation. He was present at the Privy Council at Stirling 15 May and 1 August 1565,[8] and 10 October was one of those appointed to accompany the King (Darnley) in leading the battle.[9] With others of the Queen's party he joined Moray's Council in December,[10] being present in Parliament 16 December,[11] and at the Council meeting 22 December 1567,[12] but on her escape from Lochleven, 2 May 1568, immediately joined her at Hamilton, signed the bond in her defence 8 May,[13] and was present at Langside 13 May.[14] A report says 'Yester and Borthwick were horsed in the field, and came away when they saw the battle lost.'[15] He was in arms with Argyll at Largs 28 July,[16] and signed the letters to Elizabeth and to the Duke of Alva, praying for their assistance on Mary's behalf, 30 July.[17] For his share in Langside he was declared forfeited by Parliament,[18] but this was suspended by Moray at Elizabeth's request 25 August.[19] On 19 September 1569 he was declared guilty of eight acts of deforcement, and charged to make restitution.[20] He accompanied the Regent

[1] *Records of Peebles*, 285. [2] *Ibid.*, 290, 296, 298, 308, etc. [3] *Ibid.*, 298. [4] *Acta Parl. Scot.*, ii. 525. [5] *Cal. of State Papers, Scot.*, i. 461. [6] *Ibid.*, i. 465; *Acta Parl. Scot.*, ii. 606. [7] *Cal. of State Papers, Scot.*, ii. 119. [8] *P. C. Reg.*, i. 335, 347. [9] *Ibid.*, i. 379. [10] *Ibid.*, xiv. 23. [11] *Acta Parl. Scot.*, iii. 4. [12] *P. C. Reg.*, i. 597. [13] *Cal. of State Papers*, ii. 403. [14] *Ibid.*, 405. [15] *Ibid.*, 406. [16] *Ibid.*, 468. [17] *Ibid.*, 469. [18] *Acta Parl. Scot.*, iii. 55. [19] *Cal. of State Papers, Scot.*, ii. 489. [20] *P. C. Reg.*, ii. 29.

Moray to the Borders in October,[1] but remained loyal to the Queen, and after Moray's assassination, 23 January 1569-70, joined the lords of her party at Glasgow.[2] The same month he is named as one of the heads of the Queen's party.[3] On 30 July he was one of the Marian nobles summoned by Lord Huntly to join him at Brechin on 8 August,[4] and in November he is mentioned as being a Protestant, and one of his sons is spoken of as a hostage for the Queen.[5] He was present at Lennox's Canongate Parliament 14 May 1571,[6] and after the agreement of 12 August between the chiefs of the Queen's party and the Earls of Morton and Mar, he transferred his allegiance to the King,[7] was present at the Convention at Edinburgh 21 November 1572, and in the Parliament there 15 January 1572-73.[8] He was appointed one of the Lords to assist Morton 4 April;[9] a Commissioner for Musters 5 March 1574-75,[10] and claimed the teinds of Duncanlaw 23 October 1574.[11] Douglas quotes a retour of 6 October 1576 by which a William, Lord Hay of Yester, serves himself heir to his father William, Lord Hay of Yester, and alleges that this Lord died in August 1576, a statement which has been followed by all later writers. But the true date of this retour was 6 October 1586, and ample corroboration of this can be found both in the *Exchequer Rolls* and in the *P. C. Registers*,[12] and by a comparison of the ages of the preceding Lords. John, second Lord, was born in or after 1469, and as his great-grandson William, fifth Lord, was a minor in January 1555-56 he cannot have been born before 1536 at the earliest. If, therefore, he died in August 1576 and was then succeeded by his son William, sixth Lord, it is quite certain that the latter could not have had a son of man's age in 1583. Yet a William, Master of Yester, son and heir-apparent of Lord Hay of Yester, was alive and making things lively for his neighbours in that and the three following years. It is clear that, confused by the similarity of the Christian names and

[1] *Cal. of State Papers, Scot.*, ii. 697. [2] *Ibid.*, iii. 117. [3] *P. C. Reg.*, xiv. 43. [4] *Cal. of State Papers, Scot.*, iii. 295. [5] *Ibid.*, iii. 425, 498. [6] *P. C. Reg.*, xiv. 97. [7] *Cal. of State Papers, Scot.*, iii. 667. [8] *Ibid.*, iv. 434, 463, 553. [9] *Ibid.*, iv. 538. [10] *Acta Parl. Scot.*, iii. 92. [11] *P. C. Reg.*, ii. 411. [12] See the entry in the *P. C. Reg.* for 15 September 1584, when the husband of Mary Maxwell is still only Master of Yester, and the *Exch. Rolls*, xix. 452, 459, etc.

by an error in the arrangement of the retours, the date of the death of the fifth Lord has been antedated ten years, and that it is the fifth and not the sixth Lord who figures in history from 1576 to 1586. He therefore, and not his son, was the Lord Hay of Yester who signed the Bond of Roxburgh at Jedburgh 25 August 1576,[1] by which the Scottish nobles renewed their allegiance to the King's Government. Hereafter he appears to have been in continual trouble with the authorities. On 2 August 1578 he was declared a rebel and put to the horn for the deforcement of certain officers of the Court, who had been sent to poind his goods.[2] He was present at the Convention at Edinburgh 20 February 1580-81,[3] and is mentioned as being 'neutral as to Lennox' September 1582.[4] He was a party to the conspiracy known as the Raid of Ruthven, and to the detention of James VI. by the Earl of Gowrie in 1582,[5] and Crawfurd says that after its collapse he retired to the Continent and remained there till 1585, when all the exiles were pardoned, and he returned home. This is certainly incorrect. He had sasine of the lands of Lethington in co. Haddington, which had been in the King's hands for more than twenty-six years, 4 July 1582,[6] was summoned to the Convention 19 April 1583,[7] and was present in Parliament at Holyrood 7 December 1583 and 19 May 1584.[8] On 8 October 1585 he was accused before the Privy Council of conniving at his son's misdoings.[9] The following year he was engaged in a feud with the Stewarts of Traquair, in the settlement of which the King took a personal part.[10] He was committed to Edinburgh Castle 29 April, but escaped, an order by the Council for his re-committal being dated 7 June.[11] As already stated he died in August 1586,[12] aged about fifty. On the 13 August that same year a Lord Hay of Yester was engaged in a quarrel with the Scots of Branxholme, so that there 'be oppin weir and hostilitie,'[13] but this may have been his son. The report on the Scottish

[1] *P. C. Reg.*, ii. 549. [2] *Ibid.*, iii. pp. lxxv, 18, 19. [3] *Cal. of State Papers, Scot.*, v. 640. [4] *Ibid.*, vi. 159. [5] Crawfurd, p. 486. Other authorities do not mention him among the Ruthven Raiders (*P. C. Reg.*, iii. 507 *n.*) [6] *Exch. Rolls*, xxi. 472. [7] *Cal. of State Papers, Scot.*, vi. 399, 400. [8] *Acta Parl. Scot.*, iii. 330, 290. [9] *P. C. Reg.*, iv. 25. [10] *Ibid.*, iv. 66. [11] *Ibid.*, iv. 67. [12] *Retours.* [13] *P. C. Reg.*, iv. 98.

nobility sent to Elizabeth in 1577 speaks of Lord Hay of Yester as being descended from the House of Erroll, and that 'there be but few Gentlemen of his House, saving Mr. John Hay and the Laird of Allowe [Jellowe,' viz. Talla], adding, 'His power is not great; of good living.'[1] He married (contract 28 October 1559[2]), shortly before 12 September 1560, when he granted her a charter of the lands of Belton,[3] Margaret, daughter of Sir John Kerr of Ferniehirst. She survived him, and was living a widow 18 March 1593-94.[4]

They had issue:—

1. WILLIAM, his heir.
2. JAMES, afterwards seventh Lord.
3. *Margaret*, married, in 1582, to James (Borthwick), seventh Lord Borthwick, then a child.[5] He died December 1599, leaving issue.[6]
4. *Elizabeth*, married (contract 15 February 1587-88[7]), as his first wife, to Robert Swinton of Swinton, and died before 1597, leaving issue.[8]
5. *Jean*, married to Sir James Hay of Barra.
6. *Elizabeth*, married to William Ker of Broomland.
7. *Grizel*, contracted to Robert Home, younger of Heuch, 6 and 7 June 1576,[9] which contract was annulled 18 August 1585.[10]
8. *Beatrix*, married (date not given) to William Congilton, younger of Congilton.[11]

VI. WILLIAM, sixth Lord Hay of Yester, Sheriff of Peebles, son and heir of the last, born probably about 1561. He had a charter under the Great Seal during the King's minority, confirming one of his father to himself, then designed 'William, Master of Yester,' and to Marie Maxwell his spouse, of the lands and barony of Snaid in Dumfries, and the lands and baronies of Meggat and Oliver Castle in Peebles, in conjoint fee to them and the heirs-male of their body, whom failing, to the heirs-male whatsoever of the said Master of Yester. This the King, 'finding greit iniquitie thairin, in respect of the manifest hurt and pre-

[1] *Cal. of State Papers, Scot.*, v. 259. [2] *Reg. of Deeds*, iii. 272. [3] *Reg. Mag. Sig.*, 14 February 1561-62. [4] *Ibid.*, 6 April 1594. [5] *State of the Nobility*, 1583; *Bannatyne Miscell.*, i. 68. [6] See vol. ii. 113. [7] *Reg. of Deeds*, xxxi. 260. [8] *Swintons of that Ilk*, 52, 53. [9] *Reg. of Deeds*, xv. 158. [10] *Acts and Decreets*, cvi. 288. [11] *Edin. Com. Decreets*, 14 August 1593.

judice quhilk it sould carie to the heirs of lyne, quha, be the lawis of God and natour, aucht to succeid to thair said faderis' heretage,' revoked in Council 15 September 1584.[1] On 3 February 1585, being then at the horn for the slaughter of the Laird of Westrawis, William, Master of Yester, was denounced by John Livingston of Belstan, for an assault committed on him,[2] and on 8 October following his father was accused of conniving at his son's misdoings.[3] William, Master of Yester, appears as a witness to a charter of Francis (Hay), Earl of Erroll, 4 November 1585,[4] and was charged to enter ward benorth the Tay 11 May 1586.[5] He succeeded his father August 1586, was served heir to him 6 October following,[6] and had sasine of the lands the 25 of that month.[7] He was made a Privy Councillor 23 October 1589, and, having in common with many of the other Lords resigned his whole estates, including the lands and baronies of Yester, Locherworth, Oliver Castle, etc., into the hands of the King, he, on 27 February 1590-91, received a new charter uniting them into a free lordship and barony to be called the lordship and barony of Yester, to him and the heirs-male of his body, whom failing, to James Hay his brother-german, John Hay of Smithfield, Gilbert Hay of Monktoun, William Hay of Linplum, and John Hay of Scroggis, and the heirs-male of their bodies respectively, whom failing, to his heirs-male whatsoever.[8] This charter contained a clause 'for the exoneration of our conscience and the conscience of the said William, Lord Hay of Yester,' in excluding the daughters and heirs-general from their birthright, providing that, if he died without male issue, his heirs of entail should pay 10,000 marks to his eldest daughter, 7000 marks to the second, and 6000 marks to each of the others upon their attaining the age of fifteen. He died in February 1590-91,[9] before taking infeftment on this charter. His will was confirmed at Edinburgh 12 June 1592 and 20 May 1594.[10] He married Mary, daughter of John (Maxwell), fourth Lord Herries.[11] She had a charter from her husband of the lands of Belton, in liferent,

[1] *P. C. Reg.*, iii. 688. [2] *Ibid.*, iii. 742. [3] *Ibid.*, iv. 25. [4] *Reg. Mag. Sig.*, 27 August 1592. [5] *P. C. Reg.*, iv. 70. [6] *Retours.* [7] *Exch. Rolls*, xxi. 530. [8] *Reg. Mag. Sig.* [9] *Edin. Com. Decreets*, 14 August 1593. [10] Edin. Tests. [11] *Reg. Mag. Sig.*, 24 February 1590-91.

20 February 1590-91,[1] and died 28 October 1592.[2] They had issue:—

1. *Margaret*, living, unmarried, 29 August 1627.[3]
2. *Elizabeth*, married, before 23 June 1617,[4] to James Tweedie of Drummelzier, co. Peebles, and was living 24 March 1630.[5]
3. *Christian*, married (contract 26 February 1603[6]) to Archibald Newton of Newton, co. Haddington.[7]
4. *Agnes*, living, unmarried, 29 August 1627.[8]
5. *Jean*, married to Alexander Horsburgh of Horsburgh, co. Peebles, and was dead before 29 August 1627,[9] leaving issue.
6. *Grizel*,[10] married (contract 12 February 1620[11]) to George Hepburn [not Hay as in Douglas], younger of Alderston, co. Haddington. He died November 1637.[12]

Margaret, Agnes, Christian, Elizabeth, and Grizel Hay and Alexander Horsburgh, Jean's son, were served heirs-portioners of John, Lord Hay of Yester, in property in the counties of Haddington and Lanark 17 May 1620,[13] and as such they claimed their portion of the sixth part of Thankertoun, in Lanark, which had fallen into nonentry by the death of the fourth Lord in 1555 and recovered by the eighth Lord 29 August 1627.[14]

VII. James, seventh Lord Hay of Yester, Sheriff of Peebles, next brother and heir-male of the last. His uncle, Mr. Thomas Hay, Minister of the Cross Church of Peebles, having resigned the temporalities of that living in his favour, he 'was deulie providit be his Hienis' to the said living for life 15 January 1583-84,[15] but did not hold it long, as on 11 June 1584 William Stewart, son of James Stewart of Schillinglaw, had a grant of the same.[16] He succeeded to the Peerage between 27 February and 29 May 1591, and his brother having died before his infeftment under the charter of 27 February, he, on the latter date, received from the King a new charter of the lord-

[1] *Reg. Mag. Sig.*, 24 February 1590-91. [2] Edin. Tests. [3] *Reg. Mag. Sig.*, 1 September 1627. [4] *Ibid.*, 4 December 1630. [5] *Ibid.* [6] *Edin. Sasines*; *Reg. Sec. Sig.*, ix. 55. [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] *Ibid.* [10] The names and seniority are ascertained from a writ in *Edin. Com. Decreets*, 14 August 1593. [11] *Reg. of Deeds*, ccccliii. 577. [12] Edin. Tests. [13] *Retours.* [14] *Reg. Mag. Sig.* [15] *P. C. Reg.*, iv. 555. [16] Cf. *ante*, p. 401.

ship and barony of Yester, to himself for life and his son in fee with remainder to their heirs-male, together with a seat and vote in Parliament and all other honours and dignities enjoyed by the said William, Lord Hay of Yester, and his predecessors, in the same way as if he had inherited them as heir-male of entail.[1] This was ratified by Parliament 5 June following.[2] He had also a grant, 10 May 1592, from William Hay, son of John Hay, Preceptor of St. Leonard's, to himself and Lady Margaret Kerr his wife, of the ecclesiastical lands of the Provostry of Bothans.[3] He joined Bothwell against the Chancellor July 1591.[4] This Lord Hay, like his father and brother, appears to have been a lively character, and was continually in trouble with his neighbours. On 28 October 1591 he sued the murderers of James Hay, son of William Hay of Gourdie;[5] in 1594 Broun of Froisthill complained to the Privy Council that in June, James, Lord Hay of Yester, came to his dwelling-place of Froisthill 'and violentlie tuke him furth of his said house, and caryit him to his place of Neidpeth, putt him in the pitt thairof, quhair he detenis him as captive and prisonair,' and Hay was ordered 4 July to release him within six hours on pain of being declared a rebel.[6] On 4 December 1599 he was sued for neglect of his duty as Sheriff of Peebles,[7] and a decree was granted against him 10 January 1600,[8] and another on the complaint of Sir John Murray of Eddlestoun, collector of taxes for the shire of Peebles 12 January 1602,[9] and on 26 August 1606 he was party to a dispute as to the right to erect seats in the south aisle of St. Bothans Kirk.[10] He died 3 February 1609.[11] An order of the Peebles Council 17 February that year appoints certain of their members 'to ryd to my lordis buriall.[12] His will was confirmed at Edinburgh 10 January 1610.[13] He married, shortly before 10 May 1592,[14] Margaret, daughter of Mark (Kerr), first Earl of Lothian. She survived him, and married, secondly (contract 15 December 1609), Sir Andrew Ker, Master of Jedburgh, and was again

[1] *Reg. Mag. Sig.* [2] *Acta Parl. Scot.*, iii. 649. [3] Confirmed 6 September 1592, *Reg. Mag. Sig.* [4] *Border Papers*, i. 718. [5] *P. C. Reg.*, iv. 680. [6] *Ibid.*, v. 150. [7] *Ibid.*, vi. 58. [8] *Ibid.*, vi. 68. [9] *Ibid.*, vi. 333. [10] *Ibid.*, vii. 239, 240. [11] Edin. Tests. [12] *Records of Peebles*, 358. [13] Edin. Tests. [14] *Reg. Mag. Sig.*, 6 September 1592.

a widow in 1628. It was she who founded the chapel, now a parish church, in Edinburgh known as 'Lady Yester's Church.' She died 15 March 1645, aged seventy-five.

1. JOHN, his heir.
2. *William* of Linplum, Knight, born probably about 1594, had a charter along with his mother, 14 September 1611, of the kirk lands of Barro, co. Haddington, on the resignation of William Hay of Linplum.[1] The date of his death has not been ascertained. He married Anna, daughter of William Murray of Dunearn (contract 17 and 18 November 1618.[2]) He was buried in Holyrood Church, October 1658.[3] They had at least four children:—

(1) *Sir James* of Linplum, M.P. for Haddington Constabulary 1669-74; created a Baronet, with remainder to the heirs-male of his body, 26 March 1667; and died 1704; will proved at Edinburgh 11 July 1733.[4] He married, first (contract dated 4 February 1661), Jean, sister of Sir Francis Scott, first Baronet, daughter of Sir Patrick Scott of Thirlestane; and secondly, 27 April 1682,[5] Anna, daughter of —— Livingston. By his first wife he had issue:—

i. *John*, younger of Linplum, married, 4 July 1685,[6] Jean, daughter of Sir John Foulis of Ravelstoun, and died *v.p.* before 16 April 1687, when his father was appointed tutor-in-law to his only child,

(i) *Margaret*, born 30 June 1686,[7] married to Lord William Hay of Newhall,[8] and had issue. She served herself heir to her father 8 May, to her grandfather, Sir James, 5 June, and to her uncle, Sir Robert, and her three aunts 1 December 1752,[9] and died at Edinburgh 3 October 1753, in her sixty-eighth year;[10] will proved at Edinburgh 26 June 1755.[11]

ii. *Sir Robert* of Linplum, second Baronet, born about 1673; an officer in the Army, finally becoming lieutenant-colonel 2nd Dragoons or Scots Greys. He died, unmarried, at Linplum 20 December 1751, in his seventy-ninth year; will proved at Edinburgh 29 March 1752.[12] Under an entail, executed by himself, the estate of Linplum descended to Lord Charles Hay, third son of the third Marquess.[13]

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[1] *Reg. Mag. Sig.* The William Hay of Linplum, here mentioned, was probably the last of the earlier branch of that designation. His will was given up 6 July 1614 (*Edin. Com.*), and that of Helen Cockburn, his widow, 31 January 1627 (*ibid.*). [2] *Gen. Reg. Inhibs.*, 26 September 1623. [3] Canongate Reg. [4] Edin. Tests. [5] *Complete Baronetage*, iv. 261. [6] *Account Book of Sir John Foulis of Ravelston*, Scot. Hist. Soc., lxiv. [7] Burke's *Ext. Baronetage*, 625. [8] See p. 459. [9] *Services of Heirs, Scot.* [10] *Scots Mag.* [11] Edin. Tests. [12] *Ibid.* [13] See p. 462.

iii. *Isobel*, and
iv. *Jean*. Testaments confirmed 29 November 1752.[1]
v. *Margaret*. Testament confirmed 10 March 1752.[2]

(2) *John*, born at Edinburgh 26 October 1619.
(3) *Anna*, born at Edinburgh 19 May 1625.
(4) *Margaret*, married to Sir John Baird of Newbyth, a Lord of Session, and had issue.

3. *Robert*, died *s.p.*
4. *Margaret*, named as only daughter. Married, first, as third wife, 1607 (contract dated 7, 11, 13, and 15 November 1607[3]), to Alexander (Seton), first Earl of Dunfermline, Lord High Chancellor of Scotland, by whom she had issue. He died at Pinkie 16 June 1622; she married, secondly (contract dated 1633), James (Livingston), fourth Earl of Callendar, who died *s.p.l.* 1674. She died 30 December 1659, aged sixty-seven,[4] and was buried with her first husband at Dalgetty 20 January following.[5]

VIII. John, eighth Lord Hay of Yester, and afterwards (1646) first Earl of Tweeddale, eldest son and heir of the last, born probably in or about 1593. He had a charter to John, Master of Yester, of lands in the counties of Lanark and Peebles 18 April 1599;[6] succeeded to the Peerage February 1609, being then under age, as he had a dispensation anent his minority from the Privy Council 22 February 1610.[7] On 2 March following he was served heir to his father in his lands,[8] and 11 October 1611 had licence to go abroad 'for the better exercysing of himself in all such virtues, comelie and worthie exercyses as becomeath one of his rank and qualitie.'[9] Whether he went or how long he remained is not known, but he was certainly in Scotland 16 December 1619, when he was appointed a Commissioner for the middle shires for Tweeddale.[10] After this he appears constantly as taking an active part in affairs, and is said to have possessed great industry and sagacity in business.[11] On 29 January 1622 he had a Com-

[1] Edin. Tests. The order of the birth of these ladies, who are not named by Douglas, has not been ascertained by the writer. [2] *Ibid.* [3] *Reg. Mag. Sig.*, 19 January and 1 March 1608. [4] Inscription on coffin-plate, see Lamont's *Diary*. [5] *Complete Peerage*, ii. 116. [6] *Reg. Mag. Sig.* [7] *P. C. Reg.*, viii. 423. [8] *Retours, Peebles and Haddington.* [9] *P. C. Reg.*, ix. 262. [10] *Ibid.*, xii. 149. [11] Crawfurd.

mission of Justiciary to himself and his bailies as justices within the bounds of Meggat and Rodono and other lands in Peebles belonging to him;[1] and during his career was a member of various Committees of Parliament;[2] J.P., co. Peebles, 20 August 1623. Shortly after this he was in trouble with the Privy Council, being charged to keep the peace 10 September the same year.[3] The following year he got the kirk lands of Peebles Cross Kirk erected into a temporal lordship in his favour,[4] and was, 29 June, joined to the Commission of the middle shires,[5] being reappointed 17 November 1625,[6] and again 27 July 1626.[7] On 26 July 1625 he was present at a meeting of the Privy Council relative to the exportation of wool.[8] He opposed the Act for regulating the apparel of churchmen 1633,[9] was one of the supplicants against the introduction of the Service Book 1637;[10] signed the Solemn League and Covenant, and was one of those appointed by the Privy Council to superintend its adoption in the sheriffdoms of Peebles 24 September 1638;[11] and the following year, during the first revolt, had the command of a regiment in the Scottish Army. After the second and last visit of Charles I. to Scotland in August 1641, he was one of the new Privy Council nominated by the King with the consent and approbation of Parliament 18 November that year.[12] On the 28 February following he offered £500 for the army in Ireland,[13] and on 10 March contributed £3600 for the relief of the Scottish forces there.[14] He was, 1 December 1646, created EARL OF TWEEDDALE and LORD HAY OF YESTER, with remainder to his heirs-male for ever.[15] He had several charters under the Great Seal, one of the lands and barony of Drummelzier, formerly belonging to James Tweedie and sold by him, 20 August 1623;[16] another of lands in Peebles, etc., in the King's hands by reason of the death of Sir Robert Stewart of Schillinglaw, 3 February 1624;[17] and another of lands in Ayr 27 September 1625,[18] and in Berwick 20 December 1627 and 7 September 1632.[19] He afterwards resigned his lands of Yester and Tweeddale to his son and

[1] *P. C. Reg.*, xii. 639. [2] *Ibid.* and *Acta Parl. Scot.*, *passim.* [3] *P. C. Reg.*, xiii. 353. [4] *Ibid.*, 2nd ser., i. p. cxlvii. [5] *Ibid.*, xiii. 539. [6] *Ibid.*, 2nd ser., i. 193. [7] *Ibid.*, i. 373. [8] *Ibid.*, i. 93. [9] Crawfurd. [10] *Ibid.* [11] *P. C. Reg.*, 2nd ser., vii. 76. [12] *Ibid.*, 142. [13] *Ibid.*, 403. [14] *Ibid.*, viii. 84. [15] *Reg. Mag. Sig.* [16] *Ibid.* [17] *Ibid.* [18] *Ibid.* [19] *Ibid.*

heir,[1] and died 1654. He married, first (contract 24 March and 5 April 1624[2]), Jean, daughter of his brother-in-law Alexander (Seton), first Earl of Dunfermline, Lord High Chancellor, by his second wife, Grizel Leslie. On 3 April 1621 he writes, expressing his intention to marry and discussing eligible matches: 'As for my Lord Chancellor his daughter, I sweare I have nothing to mislyke of hir, for she is ane comely wenche and may be a wyfe to the beste in the Kingdome.'[3] She died before 19 January 1627, when her will was proved at Edinburgh.[4] He married, secondly (contract dated at Edinburgh 22 and 25 December 1641[5]), Margaret, eldest daughter[6] of Alexander (Montgomery), sixth Earl of Eglinton, on whom he settled the lands of Belton 2 February 1643.[7] They had a confirmation under the Great Seal of a joint infeftment of the lands and barony of Drummelzier 1 March 1643.[8] She, who was born 20 March 1617, married, secondly, as his second wife, William (Cunningham), eighth Earl of Glencairn, Lord High Chancellor, who died *s.p.* 30 May 1664, and died at Edinburgh 27 January 1665,[9] in her forty-eighth year. Lord Tweeddale had, as far as is known, only two sons, viz. :—

1. John (by first wife), his heir.
2. *William* of Drummelzier (by second wife), born December 1649; had the estate of Drummelzier, in co. Peebles, from his father, and was served heir-male and of provision to him in the lands and barony 1679.[10] He died before 7 January 1734.[11] He married, 23 November 1695,[12] Elizabeth, then in her twenty-seventh year, only surviving daughter and heir of Alexander (Seton), first Viscount of Kingston, by his second wife, Margaret Douglas, heiress of Whittinghame, and had issue :—

(1) *Alexander* of Drummelzier and Whittinghame, born 1701; served himself heir-general to his father in the lands of

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[1] *Reg. Mag. Sig.*, 27 May 1650. [2] *Reg. of Deeds*, ccccii. 430. [3] *Correspondence of the Earls of Ancram and Lothian*, i. 18. There is a beautiful portrait at Yester of the lady at the age of twelve, which fully corroborates the writer's estimate of her good looks. See *The Family of Seton*, ii. 652, where the portrait is reproduced. [4] Edin. Tests. [5] *Reg. Mag. Sig.*, 1 March 1643. [6] *Ibid.* [7] *Ibid.* [8] *Ibid.* [9] *Memorials of the Montgomeries*, i. 82, 83. [10] *Retours.* [11] *Services of Heirs.* [12] Cf. vol. v. 197.

Drummelzier 7 January 1734, and in the lands and barony of Whittinghame 18 February 1774, and died 13 March 1789, in his eighty-eighth year; will proved 4 January 1792.[1] He married, first, Anne, fourth daughter of Alexander (Stewart), fifth Lord Blantyre, who died March 1743; secondly, 21 March 1752, Jean, second daughter of Lord David Hay of Belton, and granddaughter of the first Marquess of Tweeddale; she died *s.p.* 9 October 1764.[2] By his first wife he had issue:—

i. *William*, died *s.p.*

ii. *Alexander*, an officer of the *Norfolk* East Indiaman, died at Kinsale 6 December 1758.

iii. *Robert* of Drummelzier, Whittinghame and Linplum, H.E.I.C.S., born 18 April 1731. According to Douglas he was stationed at Bencoolen for thirty-eight years, and he was doubtless the Robert Hay who appears to have entered the H.E.I.C. Civil Service in 1749, to have been a Member of Council at Fort Marlborough, next Bencoolen, in Sumatra, in 1770, and to have become Governor of that place shortly after, returning home in the *Bridgewater* after 18 August 1776, probably in 1777.[3] After the death of the sixth Marquess, 16 November 1787, the estate of Linplum was adjudged to him after a competition in the Court of Session and House of Lords, with Frances Hay, the niece and heir of line. He served himself heir of tailzie and provision special to the sixth Marquess in the barony of Linplum 4 December 1788, and heir of tailzie and provision general to the same, and to John, Marquess of Tweeddale, 3 February 1789, and to his father 8 July 1789. He died at Cadder 21 August 1807, in his seventy-seventh year. He married, 7 February 1787, Janet, eldest daughter of James Erskine of Cardross, and by her, who died 29 August 1808, had issue:—

(i) *William* of Duns Castle, co. Berwick, J.P., D.L., colonel of the Militia and Convener of the county; born 29 February 1788; died 16 May 1876; married, 13 May 1816, Mary, elder daughter of Major John Bradstreet Garstin, 65th Regiment, who died 10 June 1863. He was ancestor of the Hays of Duns.

(ii) *James*, of Linplum, born 2 May 1790; died at Ketton Hall, co. Lincoln, 2 December 1819.

(iii) *Alexander*, of Nunraw, born 6 September 1796, killed at Waterloo 18 June 1815.

(iv) *Robert*, of Linplum and Nunraw, J.P., a well-known eastern traveller, who made numerous researches and a large collection of antiquities

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[1] Edin. Tests. [2] *Scots Mag.*, 575. [3] See MS. entry in the copy of the *India Register* or *Company Civil Servants* at the India Office. In Danver's report on the India Office Records (p. 71) he is said to have succeeded Richard Wyatt as Governor at Fort Marlborough in 1749, but this must be an error.

in Egypt, author of *Illustrations of Egypt*; born 6 January 1799; died at Amisfield, East Lothian, 4 November 1863; married, 1828, Kalitza, daughter of Captain Alexandros Psaraki, Proestos (Chief Magistrate) of Apodhulo, Crete, who died 5 June 1885. He was ancestor of the Hays of Linplum.

(v) *Charles Erskine*, of Nunraw after 1815; born 20 October 1801; died at Paris 5 May 1827.

(vi) *Christian*, died, unmarried, 25 May 1886.

(vii) *Henrietta*, married 29 January 1822, Charles Alexander Moir, of Leckie, and died 6 August 1854.

(viii) *Anne*, died, unmarried, 27 February 1882.

(ix) *Elizabeth Seton*, died, unmarried, 8 March 1858.

iv. *James*, of Nunraw.

v. *John*.

vi. *Anne*, married, first, 14 November 1751, to Sir Patrick Hepburn-Murray of Balmanno, fourth Baronet, who died at Balmanno 5 April 1756; secondly, 7 October 1762, to Archibald Stirling of Keir. She died at Cadder 14 October 1807, leaving issue.

vii. *Margaret*, married, about 1770,[1] to Sir Henry Seton of Culbeg, co. Stirling, fourth Baronet, who died at Bridgeness 29 June 1788. She died at Spott House[2] 2 March 1809, leaving issue.

(2) *William*, died *s. p.*

(3) *Margaret*, born about 1697, married, as second wife, to Robert (Stewart), seventh Lord Blantyre, and had issue. She died at Lennoxlove 13 December 1782, aged eighty-five.

IX. John, second Earl and (1694) first Marquess of Tweeddale, eldest son and heir of the last, born 1626, educated at the University of Edinburgh. He went to London in 1640 with his uncle, the Earl of Dunfermline, who was one of the Scottish Commissioners appointed to arrange peace with England, and returned with the King to Scotland the following year.[3] His public life belongs largely to Scottish history, and can be only briefly noted here.[4] On the outbreak of the Civil War in England 1642 he joined the King at Nottingham in August, but the following year becoming dissatisfied with Charles's attitude toward the Covenanters, he returned to Scotland, accepted the command of a regiment in the army raised by the Committee of Estates to resist the King's advance northwards, and fought against him at Marston Moor 2 July

[1] G. E. C., *Complete Baronetage*, iii. 339. [2] *Scots Mag.* [3] Crawfurd's *Officers of State*, 236. [4] See *Dict. Nat. Biog.*

1644.[1] After the surrender of King Charles to the Scots Covenanters 5 May 1646, Hay waited on him at Newcastle,[2] took no part in his delivery to the English rebels, but joined the party for upholding the 'Engagement,' it being probably in recognition of this that his father was on 1 December created an Earl. He accompanied the Scottish army which invaded England to assist the King, and had command of the East Lothian regiment at the battle of Preston 17 August 1648. After the murder of Charles I. he joined in the Proclamation of Charles II., was present at his Coronation at Scone 1 January 1651, and continued with him until the invasion of England, when he retired to his house at Neidpath, which he garrisoned for the King, and which was the last place that surrendered to the English south of the Forth.[3] He was M.P. for East Lothian in Cromwell's Parliament 1656-58, and in that for 1659-60. On the Restoration he waited on the King, and was admitted a member of the new Privy Council 13 July 1661,[4] was elected President 18 July, but in September fell into disfavour in consequence of his being the only person to oppose the death sentence on Guthrie, the minister of Stirling, who had refused to admit the royal authority in ecclesiastical matters, and he was committed to the Castle of Edinburgh on the 17 of that month.[5] He wrote to Lauderdale that he was 'as thunder struke with the order for his committal,[6] and after apologising to the King and petitioning the Council, he was, 4 October, released on a bond of £1000, but ordered to confine himself to his own house.[7] This order was remitted the following May, and in June he was chosen President of the Council. In January 1664 he was appointed a member of the High Commission 'for the execution of the laws in church affairs,' and 2 June following made an Extraordinary Lord of Session. Colonel of the Haddington Militia 29 April 1668.[8] From 1667 to 1674 he, with the Earl of Kincardine and Sir Robert Murray,

[1] Ms. Memorial of the Marquess of Tweeddale done by himself, etc. [2] *Ibid.* [3] Haig and Brunton's *Senators of the College of Justice*, 385. [4] *P. C. Reg.*, 3rd series, i. 2. This Council lasted till 27 December 1664, and sat on 125 days, of which Tweeddale was present on 56. [5] Wodrow, *Sufferings of the Church of Scotland*, i. 219; Lamont's *Diary*, 140, has fourteenth. [6] *Lauderdale Papers*, i. 99. [7] Wodrow, i. 221; Nicoll's *Diary*, 344. [8] *P. C. Reg.*, 3rd ser., ii. 440.

had the chief conduct of the Scottish administration, and Tweeddale, who is represented as being a moderate man, who studied to keep proceedings in a legal channel, used his influence to mitigate the severity of the Government towards the Covenanters. It was in a great degree due to him that the first indulgence was granted in June 1669, of which the more moderate of the ejected ministers took advantage.[1] Early in 1674, through the influence of Lauderdale he was dismissed from his offices and deprived of his seat in the Privy Council. After the downfall of Lauderdale he was again appointed Commissioner of the Treasury, but in June was brought before the Council because conventicles had been held in the town barn of Inverkeithing of which he was proprietor. On his showing that the 'barn held burgage of the town' he was however assoilzied, and the process continued against the magistrates.[2] On 11 May 1682 he was readmitted to the Privy Council,[3] and the same month was named Commissioner for trying the state of the coinage and mint. He was continued in office under James VII. 3 March 1685, but joined cordially in the Revolution of 1688. In March 1689 he and the Earl of Leven were deputed by the Convention to demand the surrender of Edinburgh Castle, and on 18 May he was sworn a Privy Councillor to William and Mary; in December following a Lord of the Treasury, and 5 June 1692 Lord High Chancellor of Scotland. On 17 December 1694 he was created MARQUESS OF TWEEDDALE, EARL OF GIFFORD, VISCOUNT OF WALDEN, and LORD HAY OF YESTER, with remainder to his heirs-male whatsoever.[4] He was High Commissioner to the Parliament that met at Edinburgh 9 May 1695. In 1696 he was dismissed from office, apparently for his support of the ill-fated Darien Scheme. He died at Edinburgh 11 August 1697, in his seventy-first year, and was buried at Yester.[5] 'If not one of the ablest, Tweeddale was one of the most honourable and straightforward statesmen of his time. He had not always the courage of his opinions, but his opinions were patriotic and

[1] Wodrow, i. lxix. lxxii.; ii. 115, 129. [2] *Ibid.*, iii. 196. [3] Lauder of Fountainhall's *Hist. Notices*, 354. [4] The patent is printed in full in Crawfurd's *Officers of State*. [5] Funeral entry showing his 'Seize Quartiers' at the Lyon Office.

enlightened, and he usually gave good advice.[1] On 2 January 1647 he had a charter to himself and his wife of the barony of Lyne and sheriffdom of Peebles,[2] and on 27 May 1650 of the lands of Yester and Tweeddale on his father's resignation.[3] In 1686 having become deeply involved, largely on account of having become security in large sums for the Earl of Dunfermline, he was obliged to dispose of his ancestral estates in Peebles with the sheriffdom. He married (contract 24 September 1644[4]) Jean, second daughter of Walter (Scott), first Earl of Buccleuch. She, who brought him a tocher of 40,000 marks, was born January 1629, and died November 1688,[5] in her sixtieth year. They had issue:—

1. JOHN, his successor.
2. *Francis*, born 16 December 1649, died young.
3. *David*, baptized June 1656; had a charter of Belton, near Edinburgh, along with his father, 9 December 1687; a Commissioner of Supply for co. Haddington 19 June 1702[6] and 5 August 1704.[7] He died December 1726 (not January 1727[8]). He married Rachel, daughter of Sir James Hayes of Great Bedgbury, co. Kent. She died at Belton 14 January 1760. In his will, dated 24 December 1718, confirmed at Edinburgh 19 July 1727,[9] he appointed tutors and curators to his eleven children who are all named therein. They had issue:—

(1) *John*, of Belton, baptized 16 November 1700, who was appointed receiver of the Bishops' rents August 1744. He died *s. p.* at Edinburgh 27 March 1780;[10] will proved 2 August following.[11]

(2) *David*. (3) *William*. Both dead apparently *s. p.* before 27 March 1780.

(4) *James*, of Belton, baptized 31 July 1710; a major in His Majesty's Regiment of Foot (formerly the Earl of Orkney's); died at Belton 6 February 1798; married, 20 June 1780,[12] Dorothea, sister to George, seventh Marquess of Tweeddale, daughter of John Hay of Newhall,[13] and by her, who died 29 January 1814, had issue, with two daughters:—

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[1] *Dict. Nat. Biog.* [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] *Ibid.*, 2 January 1647. [5] Funeral entry as 'Jean Scott, Lady Hay of Linplum,' at Lyon Office. [6] *Acta Parl. Scot.*, xi. 21. [7] *Ibid.*, 139. [8] Edin. Tests. [9] *Ibid.* [10] *Gentleman's Mag.*, 203, has 3 April. [11] Edin. Tests. [12] This marriage took place some 124 years after his father's birth. [13] See p. 461.

i. *David* of Belton, born 21 May 1781; an officer in the 91st Highland Regiment; died, unmarried, 23 November 1819.

ii. *George*, born 10 January 1784, died 16 December 1798.

iii. *James*, of Belton, Rear-Admiral R.N., born 6 March 1786; died 3 February 1857; married, 10 November 1824, Mary, second daughter of Robert Hathorn Stewart of Physgill, and by her, who died 26 April 1880, had issue, besides seven daughters:[1]—

(i) *James George*, born 12 September 1826; captain 92nd Highlanders; married, 17 June 1862, Jane, eldest daughter of William Baird of Elie, and assumed the additional name of Baird when his wife succeeded to the estate of Rosemount on her father's death.

(ii) *Lieutenant-General Sir Robert John*, K.C.B., R.A., born 28 April 1828, and died 25 November 1910, having married, 20 April 1861, Georgina Harvey, daughter of Sir Alexander Ramsay of Balmain, second Baronet, with issue four sons.

(iii) *Lauderdale*, born 31 April 1829; in the Indian Army, and died at Ootacamund 21 September 1851.

(iv) *David*, born 26 May 1833; in Indian Army; died on his way home from India 6 June 1858, from the results of the hardships of the siege of Lucknow, of which he was one of the defenders.

(v) *Edward*, born 11 February 1835; commander R.N.; died, 30 April 1864, from a wound received in action.

(5) *Francis.*

(6) *Rachel.*

(7) *Jean*, married 21 March 1752, to Alexander Hay of Drummelzier, and died *s.p.* 9 October 1764.[2]

(8) *Elizabeth*, died, unmarried, at Edinburgh 9 July 1777.[3]

(9) *Margaret*, died, unmarried, at Belton 31 July 1760.[4]

(10) *Diana Hungerford*, died, unmarried, at Ninewar 1 January 1763.[5]

(11) *Susanna.*

4. *Charles*, baptized in 1661; died young.

5. *Alexander*, of Spott, born in July 1663. He had a charter to 'Alexander Hay, third son of John, Earl of Tweeddale,' of the barony of Auldhamstocks, 20 January 1688; was appointed by Parliament lieutenant of a troop under Lord Yester, 22 April 1689,[6] and a Commissioner of Supply for co. Haddington 20 June

[1] See Burke's *Peerage, etc.* [2] *Scots Mag.* [3] *Ibid.* [4] *Ibid.* [5] *Ibid.*
[6] *Acta Parl. Scot.*, ix. 55.

1695 and 5 August 1704.[1] Died at Lawfield 31 July 1737.[2] He married, at Edinburgh, 22 April 1697,[3] Catherine, baptized 2 March 1675, daughter of Laurence Charters, Advocate, and had issue:—

(1) *John*, of Lawfield, born 24 March 1698; died *s.p.* December 1758.[4]

(2) A child, unbaptized, buried in Greyfriars, Edinburgh, 21 November 1698.[5]

(3) *William*, of Lawfield and Spott, born 30 December 1699; served heir to his brother 12 March 1759;[6] married, 11 May 1759, Elizabeth, eldest daughter of Sir Robert Sinclair of Stevenston, fifth Baronet, by whom he had issue, with others:—

i. *Robert*, of Lawfield and Spott, died 1844; married, 1791, Catherine, only daughter of Ralph Babington, and had issue.[7]

ii. *William*, captain 83rd Regiment, died at St. Domingo 15 March 1795.

iii. *John*, died at Spott 28 September 1783.

(4) *Catherine*, married in or before 1733 (post-nuptial settlement 21 August and 4 September 1738[8]), Sir Philip Anstruther of Balcaskie, second Baronet, who died 27 May 1763, and had issue. She died at Balcaskie 11 February 1759.

6. *Gilbert*, born 6 November 1668.

7. *William*.

8. *Margaret*, born 1659; married, at Kelso, 10 October 1675,[9] to Robert (Ker), third Earl of Roxburghe, with issue. He was drowned off Yarmouth, on his way back to Scotland, 8 May 1682.[10] She survived him seventy-one years, and died at Broomlands, near Kelso, 22 January 1753, aged ninety-five.

9. *Jean*, married (contract dated 12 October 1693) to William (Douglas), first Earl of March, and had issue. He died at Edinburgh 2 September 1705. She died there July 1729, and was buried at Peebles with her husband.

X. JOHN, second Marquess of Tweeddale, was born 1645, and styled Lord Hay of Yester 1654-94, and (probably) Earl

[1] *Acta Parl. Scot.*, ix. 374; xi. 139. [2] *Political State of Great Britain*, liv. 232; *London Mag.*, 456; *Gentleman's Mag.*, 514; *Hist. Reg. Chron.*, 16. [3] Edin. Marriage Reg. [4] *Services of Heirs.* [5] *Greyfriars Reg.*, Scot. Rec. Soc., p. 296. [6] *Services of Heirs.* [7] See Burke's *Peerage*, etc. [8] G. E. C.'s *Complete Baronetage*, iv. 366. [9] Kelso Register. [10] Cf. vol. vii. 349.

of Gifford 1694-97. On Argyll's invasion of Scotland in 1685 he was appointed colonel of the East Lothian Regiment, then raised,[1] and on the Revolution of 1689 was appointed a Privy Councillor by William of Orange, and made Sheriff of Haddington. In the Parliament of 1695 he sat and voted as High Treasurer of Scotland on the King's letters.[2] He succeeded his father 11 August 1697, and was continued a Privy Councillor by Queen Anne. For a time he joined the Duke of Hamilton as joint leader of the Jacobite and National party, but after some private negotiations with the English Government[3] he became a strong advocate of the settlement of the succession on the Electress of Hanover, and was appointed High Commissioner to the Scottish Parliament which met 6 July 1704, and which passed the famous Act for the Security of the Kingdom, which received the Royal Assent 5 August. It is supposed that Tweeddale and others were influenced to some extent in their policy by personal consideration, but Lockhart gives him the credit for being the 'least ill-meaning man of his party either through inclination or capacity.[4] On the prorogation of Parliament he went to London, and was very graciously received by Anne, who on the 17 October appointed him Lord High Chancellor of Scotland in the place of the Earl of Seafield. He did not hold this office many months, for, 9 March 1705, Seafield was reinstated, 'and the feeble administration of Tweeddale dissolved.'[5] On his dismissal Tweeddale became head of a party known as the *squadrone volante*, from their sometimes opposing and at other times supporting the measures of the Government.[6] Until the very last moment this party remained silent as to their attitude towards the Union with England, but means were apparently found by the Court to square them, as they voted in favour of it on the first division, and continued its constant and zealous advocates until it was finally passed 16 January 1707. On 13 February following he was chosen one of the sixteen Scottish Representative Peers, and sat as such in the first British Parliament, 1707-8. He died suddenly in a fit of apoplexy,[7]

[1] Brunton and Haig's *Senators*, 478. [2] *Ibid.* [3] *Dict. Nat. Biog.* [4] *Lockhart Papers*, i. 97. [5] Laing. [6] Clerk, 56. [7] Crawfurd's *Officers of State*, 246.

at Yester, 20 April 1713, in his sixty-eighth year, and was privately buried there. A contemporary[1] says of him, when 'a short, brown man towards sixty,' that 'he hath good sense, is very modest, much a man of honour, and hot when piqued; is highly esteemed in his country, and may make a considerable figure of it now.' Sir John Clerk calls him 'a very good man, but not perfectly qualified for Court intrigues.'[2]

He married, at Highgate, co. Middlesex, Tuesday, 11 December 1666, Mary, only daughter and heir of John (Maitland), first Duke of Lauderdale, K.G., King Charles II. being present. On 18 December following Denis de Repas wrote to Sir Robert Harley, 'On Tuesday last my Lord Lourdall his daughter was married to a Scotch Lord, whose name is Fitts or Pitts (*sic*); upon some occasion I was forced to be there. The King gave her. She is very homely and like a monkey, clothed with gold and silver. He seemeth to deserve such a wife and no more.'[3] She died at Yester 20 March 1702, and was buried there 28 March following.[4] They had issue, concerning whom he wrote to their grandfather (Lauderdale) 15 December 1670, that he 'yitt got to Yester befor it was dark, uher he found them all ueal, and was qwikly encompassid with children striving uho should be most mead of; Charels is grouen ane mighty kind child and left all his frowardness, and I think squints noe mor than he did; I askid Jhon if he knew me, he said I, I, and clapid my cheek and kissid both of them, askid for their L/ grandfather at London. Ann is grouen a pleasant and bewtiful child; my little dawghter Jean, uhen shoe saw me mak more, as shoe thought, of the rest then hir, said, I am a bairn to.'[5] Their names were :—

1. Charles, his heir.
2. *John*, an officer in the Army, born before 1670, possibly about 1668; entered the Scots Dragoons, now 2nd Dragoons or Royal Scots Greys; became lieut.-colonel 16 August 1703, colonel (by purchase) 7 April 1704, and brigadier-general 25 August 1704.[6] He commanded

[1] Macky's *Characters*, 116. [2] *Memoirs*, 1703, 48. [3] *Fourteenth Rep. Hist. MSS. Com.*, App. pt. ii. 305. [4] Funeral Entry in Lyon Office. [5] *Lauderdale Papers*, ii. 209. [6] Dalton's *English Army List*, v. 17.

the regiment in the campaigns under Marlborough, 1702-3, and greatly distinguished himself at the battles of Schellenberg 1704, and Ramilies 1706. He died *s.p.* of a lingering fever at Courtray, 25 August 1706,[1] 'to the regret of the whole Army.' Will proved at Edinburgh 29 August 1707.[2] He married, first, Elizabeth, daughter and heir of James (Dalzell), fourth Earl of Carnwath.[3] She is incorrectly said to have survived him, and to have remarried, secondly, General Robert Hunter.[4] He married, secondly, Elizabeth (who was living May 1695[5]), daughter and heiress of Sir Charles Orby of Croyland, second Baronet; she survived him, and remarried, secondly, Major-General Robert Hunter, Governor of Jamaica (who died 31 November 1734), and had issue by him.

3. *William*, of Newhall, an officer in the Army; brigadier-general 1 January 1710; first major 3rd Foot Guards 19 April 1711;[6] and lieutenant-colonel 3rd Regiment of Guards.[7] He died 31 October 1723;[8] will proved at Edinburgh 2 August 1728.[9] He married Margaret, daughter and heir of John Hay, eldest son and heir-apparent of Sir James Hay of Linplum, Baronet.[10] She was born 30 June 1686, and died at Edinburgh 3 October 1753,[11] in her sixty-eighth year. Will proved at Edinburgh 26 June 1755.[12] They had issue:—

(1) *John*, of Newhall, admitted Advocate 30 June 1726; succeeded his father, to whom he was served heir-general 9 March 1727,[13] and again, 28 April 1730, as heir-male special in the lands and barony of Crosbie, including Mains, Cribbs, and Baune, co. Berwick, in both of which his father is described as 'Sir William Hay of Crosbie (Corsbie).' He fell into debt, and his estate of Newhall was sold by his creditors to the sixth Marquess. He died at Garstang, co. Lancaster, 10 December 1755.[14] He married Dorothy, some-

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1 Boyer's *History of the Reign of Queen Anne*, iv. 495; *Complete History of Europe*, 565; Le Neve's *Monumenta Anglicana*, 120. 2 Edin. Tests. 3 Maitland's *House of Seton*, 79. 4 *Hunter of Hunterston*, 28. 5 See *The Genealogist*, iii. 273. 6 Dalton's *English Army List*, vi. 18. 7 *Ibid.*, 59. 8 *Political State of Great Britain*, xxvi. 567; *Hist. Reg. Chron.*, 50. 9 Edin. Tests. 10 See *ante*, p. 446. 11 *Scots Mag.*, 446; *Gentleman's Mag.* 12 Edin. Tests. 13 *Service of Heirs, Scotland.* 14 *London Mag.*

time wife of Sergeant Hale, daughter of John Hayhurst of Quernmore, near Lancaster, labourer;[1] she died at Edinburgh, 23 September 1808,[2] having survived him nearly fifty-three years. They had issue:—

i. *John*, died young, *v.p.*

ii. *William*, 'of Newhall,' entered the Army as ensign 3rd Foot Guards 1767; became a lieutenant in the same 1772; and major South Fencible Regiment 1778; and died at Yester 1781.[3] He married, first, at Chiswick, 23 April 1774, Catherine, only surviving daughter and heir of John, fourth Marquess of Tweeddale,[4] who died at Bristol Hotwells 11 July 1776.[5] He married, secondly, 6 March 1779, Mary, only daughter, and finally heir (25 December 1804), of William Nisbet of Dirleton, co. Haddington, who survived him, and married, secondly, as second wife, Walter Campbell of Shawfield, by whom she had further issue. He had issue:—

(i) *George* (by second wife), born about 1780; sometime (1781-1783) heir to the Tweeddale title and estates; died at Yester 28 April 1783.

(ii) *Frances* (by first wife), born 1775 or 1776; on the death of the sixth Marquess, 16 November 1787, she became heir-general of the family and heir to the very large personal property of her grandmother, the Marchioness of Tweeddale. She had a lawsuit with Robert Hay of Drummelzier regarding certain of the Tweeddale estates, but was unsuccessful. She married, as first wife, at St. George's, Hanover Square, 4 August 1797,[6] the Hon. Charles Manners, of Market Overton, co. Rutland, third son of Louisa, *suo jure* seventh countess of Dysart, and died 29 March 1801, leaving issue two sons and a daughter. She was buried at Helmingham 10 April following.

iii. GEORGE, who succeeded as seventh Marquess.

iv. *Edward*, of Newhall, to which he succeeded under the will of the sixth Marquess, and afterwards under the entail executed by Lord Macleod (titular fourth Earl of Cromartie), on 3 May 1786, he in 1801 assumed the additional surname of Mackenzie of Cromartie. He entered the Army as ensign 65th Foot in 1775, exchanged into the 3rd Foot Guards in 1777, became lieutenant in the same in 1780, and retired in 1788, dying 5 December 1814. He married, 30 May 1790,

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[1] It has been alleged that her first husband was alive long after the date of her marriage with Hay, and in consequence that the marriage was void. Her name was for long unknown, and was unsuccessfully inquired for in *Notes and Queries*, eighth series, v. 448. [2] *Complete Peerage*, vii. 438. [3] *Gentleman's Mag.*, 393. [4] See p. 465. [5] *Scots Mag.*, 396; *London Mag.*, 445; *Gentleman's Mag.*, 386; *Annual Reg.*, 227. [6] Registers.

Maria, eldest daughter and coheir of George (Murray), sixth Lord Elibank, by his wife Isabel, daughter and (2 April 1789) sole heir of George (Mackenzie), third Earl of Cromartie, who died at Edinburgh 8 October 1858. They had issue, with three daughters,[1] an only son,

John Hay-Mackenzie, of Cromartie, who died 9 July 1849, leaving an only daughter and heir, *Anne*, who married, 27 June 1849, George, third Duke of Sutherland, and had issue.[2]

v. *Dorothea*, married, 20 June 1780, to James Hay of Belton, and died 29 January 1814.[3]

vi. *Margaret*, married to Allan Macdougall, of Gallanach, co. Argyll, Writer to the Signet, who died at Polquhairn 24 December 1807, leaving issue.[4]

(2) *James*, Writer to the Signet 1742; Warden of the Mint 24 March 1744 till his death, which took place at Newington, Edinburgh, 31 May 1779. He married, in October 1744, Jane, daughter of John Henderson of Liston, co. Haddington, and had issue.

(3) *Richard*, who assumed the additional name and arms of Newton on succeeding to the estate of Newton, co. Haddington, and died there 18 June 1776. He married Anne, sister of Lieut.-Col. John Stuart of the Guards, and only daughter of John Stuart, and had issue, with three other daughters:—

i. *John*, of Newton, died *s.p.* 1789.

ii. *Richard*, of Newton, died, unmarried, 19 October 1793.[5]

iii. *William*, of Newton, born 1747, served heir to his brother 19 December 1793; died 12 February 1849; married, 1791, Alicia, daughter of Anthony Foster of Jardinefield, co. Berwick, and by her, who died 1841, was ancestor of the Hay-Newtons of Newton.[6]

iv. *Jean*, married, as first wife, 13 July 1780, to James Walker of Dalry, W.S., one of the principal Clerks of Session, and was mother (among others) of Sir Francis Walker-Drummond of Hawthornden, second Baronet.[7]

(4) *George Lewis*, born 16 February 1716; died *s.p.*

(5) *David*,
(6) *Alexander*, } twins, born 16 January 1723, died *s.p.*

(7) *Susan*, married, 22 August 1742, to John Scott of Malleny, co. Edinburgh, and had issue.

(8) *Jane*, married to Archibald Murray of Murrayfield, second son of Alexander Murray of Cringletie, and had issue.

(9) *Mary*, born 1 March 1720;[8] died at Edinburgh 6 April 1766.

(10) *Elizabeth*.

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[1] See vol. iii. 83, 84. [2] *Ibid.* [3] See *ante* p. 454. [4] *Scots Mag.*, 286. [5] *Services of Heirs.* [6] See Burke's *Landed Gentry.* [7] See Burke's *Peerage and Landed Gentry.* [8] Canongate Reg.

4. *Anne*, born before 1670; married, as the third of his four wives, to William, twelfth Lord Ross, and had issue a daughter. She was dead before 16 June 1731, when her husband entered into the contract for his fourth marriage.[1]
5. *Jean*, born before 15 December 1670; married, 29 April 1697, to John (Ker), eighth Earl of Rothes, who died 9 May 1722. She died at Leslie House 4 September 1731, leaving issue.

XI. Charles, third Marquess of Tweeddale, eldest son and heir of the last, born some years before 1670, the usual date assigned for his birth,[2] and styled (probably[3]) Earl of Gifford from 1697 till he succeeded his father 20 April 1713. He was a supporter of the Hanoverian succession, and on the accession of George I. was appointed President of the Court of Police and Lord-Lieutenant of Haddingtonshire, 1714.[4] At the general election 3 March 1715 he was elected a Representative Peer, but died 17 December following, aged about forty-five. He married, about 1692-94, Susan, widow of John (Cochrane), second Earl of Dundonald, second daughter of William (Hamilton, formerly Douglas), first Duke of Hamilton, by his wife Anne, *suo jure* Duchess of Hamilton; she died at Edinburgh 7 February 1737.[5] They had issue:—

1. John, his successor.
2. *James*, died young.
3. *Charles*, of Linplum, to which estate he succeeded on the death of his kinsman, Sir Robert Hay, in 1751. He was born probably about 1700; entered the Army as ensign 18 May 1722, and obtained a troop in the 9th Dragoons 1729. He is said to have been present at the siege of Gibraltar 1727, and to have served as a volunteer under Prince Eugene of Savoy in the campaign on the Rhine in 1734. In 1741 he was elected M.P. for co. Haddington, and two years later was (April) given command of a company in the 3rd Foot Guards. As virtual, if not actual lieutenant-colonel of the 1st Foot Guards,[6] he gained con-

[1] Cf. vol. vii. 261. [2] See letter from father, 15 December 1670, quoted p. 458. [3] *Complete Peerage*. [4] Douglas. [5] *Reg. Mag. Sig.*, MS. lib. lxxv. No. 30. [6] *Dict. Nat. Biog.*

spicuous distinction at the battle of Fontenoy, being the hero of the well-known 'Fire first, gentlemen' incident. He was then so severely wounded that he was reported dead.[1] After his return to England he was appointed A.D.C. to the King 4 March 1749; colonel 33rd Foot 20 November 1752, and major-general 22 February 1757. He sailed for America 8 May following, to join the expedition then gathering at Halifax to attack the French. For some caustic criticism of his Commander-in-chief, Lord Loudoun, he was placed under arrest and sent home as a prisoner. After a delay of nearly three years he was, 12 February 1760,[2] brought before a General Court-Martial at the Horse Guards. This sat till 4 March, but the result was not made public, the case being referred to the King, and Hay died, unmarried, in London two months later, 1 May,[3] before George II. could make up his mind what course to take. Dr. Johnson, who saw much of him at the time of his trial, says, 'I suffered a great loss when he died; he was a mighty pleasing man in conversation,'[4] and pronounced the defence he had prepared 'a very good soldierly defence,' but adds that he advised him that as it was in vain to contend with those who were in possession of power, if they would offer him the rank of lieutenant-general or a government, it would be better to desist from urging his complaints.[5]

4. George, afterwards sixth Marquess.
5. *Susan*, died, unmarried, at Edinburgh 30 November 1739.[6]
6. *Catherine*, died, unmarried, at Edinburgh 1 December 1773.[7]
7. *Mary*, born 29 December 1700, died young.
8. *Anne*, born 23 June 1704;[8] died, unmarried, 23 May 1772,[9] will proved at Edinburgh 22 November 1773.[10]

[1] *Gentleman's Mag.*, 1745, 246. [2] *Ibid.*, 1760, 100. [3] *Ibid.*, 249; *Scots Mag.*, xxii. 222. [4] Boswell's *Johnson*, ed. by Dr. Birbeck Hill, iii. 9. [5] *Ibid.*, iv. 23. [6] *Scots Mag.*, 584; *London Mag.*, 665; *Gentleman's Mag.*, 660. [7] *Ibid.*, 670, 622, and 622 respectively. [8] Canongate Reg. [9] *Scots Mag.*, 277; *London Mag.*, 293. [10] Edin. Tests.

XII. John, fourth Marquess of Tweeddale, eldest son and heir of the last, born about 1695, styled (probably) Earl of Gifford from 1713 till he succeeded to the Peerage 17 December 1715.[1] He studied law in Edinburgh; was appointed one of the Extraordinary Lords of Session 7 March 1721, which office he held till his death; elected one of the sixteen Representative Peers for Scotland 1722, and re-elected 1727. Attaching himself to the party of Lord Carteret, he was not returned at the general elections of 1734 and 1741, but on a vacancy occurring in 1742, was elected, and was chosen again in 1747, 1754, and 1761. Governor of the Bank of Scotland April 1742 till his death. On the resignation of Sir Robert Walpole, February 1742, he joined Lord Wilmington's Administration, the office of Principal Secretary of State for Scotland being revived and conferred on him, with a seat in the Cabinet. He was also appointed Principal Keeper of the Signet, but resigned both these places in January 1746. On the death of the Duke of Argyll, he was, June 1761, appointed Lord Justice-General of Scotland. He died in London 9 December 1762, and in accordance with the directions given in his will (proved 1763) was buried privately at Yester. Under the Act of 1747 for abolishing heritable jurisdictions, he obtained £2672 in full of his claim for £8000 for the bailiary of Dunfermline. He greatly improved his estate of Yester, particularly in the way of enclosing fields and planting trees, and towards the close of the eighteenth century, the estate contained some of the finest timber in Scotland.[2] He married, in London 5 April or 24 May 1748, Frances, daughter of John (Carteret), first Earl of Granville, the well-known statesman. Lady Mary Montagu writes of her, 25 April 1742, as 'an ugly girl who sticks on his, Lord Cartaret's, hands.' Horace Walpole, in 1748, mentions having met the Lord Tweeddale and 'his Marchioness,' who is infinitely 'good-humoured and good company, and sang a thousand French songs very prettily,' and in the same year Lady Dysart writes: 'I think my sister Fanny to all appearance happily established; the Marquis is a sensible, reasonable man and quite her lover.' Lord Morton writes of her in 1749 as 'very merry and easy.' She appears to

[1] *Complete Peerage.* [2] *Dict. Nat. Biog.*

have been, like her mother, very musical, and, like her father, an accomplished linguist.[1] She died at Ham Common, co. Surrey, 25 December 1788, and was buried with her husband at Yester. By her will, proved 1789, she bequeathed her fortune to her only surviving grandchild Frances Hay, and directed that she was to be buried as near her husband as possible, with her wedding-ring on her finger and his letters in the coffin with her. They had issue:—

1. *George*, Earl of Gifford, 'a very fine boy' writes Mrs. Delany 24 March 1753; born 1751, died at Yester 11 August 1752.
2. GEORGE, his successor.
3. *Frances*, born in London 19 March 1749; died at Edinburgh 2 March 1757.
4. *Susanna*, born in Edinburgh 2 March 1750; died at Yester 27 June 1757.[2]
5. *Grace*, born in London 11 May 1752; died, unmarried, at Newbury, co. Berks, 26 August 1771; will proved at Edinburgh 18 April following.[3]
6. *Catherine*, born at Yester 7 June 1753; married at Chiswick 23 April 1774, to Captain William Hay, at that time presumptive heir to the Tweeddale title,[4] and died 11 July 1776.

XIII. GEORGE, fifth Marquess of Tweeddale, second but only surviving son and heir of the last; born in London 12 July 1758; styled Earl of Gifford *v.p.*, succeeded his father 9 December 1762; died at Gifford Lodge 4 October 1770 in his thirteenth year.

XIV. GEORGE, sixth Marquess of Tweeddale, uncle and heir-male of the preceding, being fourth and youngest son of the third Marquess; born probably between 1700 and 1706. He was appointed one of the Gentlemen of the Board of Police June 1755, an office he held till 1771, when he resigned. He purchased the estate of Newhall, co. Haddington, from the creditors of his cousin John Hay, and on the death of his next elder brother Lord Charles Hay, 1 May 1760, succeeded to the estate of Linplum in the same

[1] *Complete Peerage.* [2] *Scots Mag.*, 526; *London Mag.*, 363. [3] Edin. Tests. [4] See *ante*, p. 463.

county, in virtue of the entail executed by Sir Robert Hay of Linplum in 1748. He succeeded his nephew in the family honours and estates 4 October 1770, and pursuing a rigid system of economy, accumulated a very ample fortune, which he bequeathed to trustees to be paid out in the purchase of lands to be entailed with the Tweeddale title. He died, unmarried, at Newhall 16 November 1787, at a great age. Admon. June 1787. On his death the family honours and estates (except Newhall, which he left to his cousin Edward Hay, and Linplum, which was adjudged to Robert Hay of Drummelzier) passed to his second cousin once removed, viz.:—

XV. George, seventh Marquess of Tweeddale, cousin and next heir-male of the last,[1] was born 1753, was for some time an officer in the naval service of the Honourable East India Company, and succeeded to the title 16 November 1787. Elected a Representative Peer at the general election of 1796 and again in 1802; Lord-Lieutenant co. Haddington. He married, at Edinburgh 18 April 1785, Hannah Charlotte, fourth daughter of James (Maitland), seventh Earl of Lauderdale. In 1802 he and his wife went abroad on account of the state of his health, and being in France at the commencement of hostilities in 1803, they were detained by Napoleon till their death. The Marchioness died at Verdun 8 May 1804. He died there three months later, 9 August 1804, aged fifty-one. Their bodies were deposited in the glacis of the citadel at that place, from whence on the conclusion of peace they were removed and sent to Scotland, being subsequently interred at Yester 11 November 1806. They had issue:—

1. George, his heir.
2. *James*, born at Bonnington 23 March 1788,[2] general in the Army, and colonel 86th Foot, served in the Peninsular War as lieutenant 1st Foot Guards; died 18 August 1862. He married, 18 August 1813, Elizabeth, daughter and heir of James Forbes of Seton, co. Aberdeen, and by her, who died 30 September 1861, had issue:—

[1] See p. 460. [2] The births of all these children are in the Yester Par. Reg.

(1) *James Gordon*, of Seton House, co. Aberdeen and Mapes Hill House, co. Middlesex, J.P., Barrister-at-Law, born 15 October 1815; died 8 February 1883; married, 13 November 1878, Mary Catherine, eldest daughter of Henry Hill Cox, of The Wings, Kemerton, co. Gloucester, and by her, who married, secondly, Edward Magee, and died 11 February 1892, he had issue:—

i. *Gilbert James*, born 6 December 1879; died 30 July 1883.
ii. *Malcolm Vivian*, lieutenant 3rd battalion Gordon Highlanders, born 21 January 1881.
iii. *Cuthbert Joseph*, late lieutenant Gordon Highlanders, born 30 May 1882.

(2) *George*, born 17 September 1818; died 1878.
(3) *Charlotte*, born May 1817; died July 1819.
(4) *Margaret Louis Gordon*, born 8 May 1820; married, at Frankfurt 26 October 1844, to Theodore Gudin, a celebrated sea-painter, who died April 1880. She died 1890.
(5) (*Charlotte*) *Georgiana*, born 10 March 1824; died, unmarried, 14 March 1903.

3. *John*, Rear-Admiral R.N., C.B., K.C.H., G.C. of the Order of Charles III. of Spain, born at Yester 1 April 1793; entered the Royal Navy December 1804, and saw much active service, losing his left arm in a cutting out expedition in the Dardanelles August 1807. On 1 April 1812 he was made lieutenant, promoted to the rank of commander 15 June following, and captain 7 December 1818; M.P. for Haddington 1826-30. During the civil war in Spain he was employed as commander of a small squadron on the north coast, and for his services was rewarded with the C.B. 17 February 1837, and the Grand Cross of Charles III.; M.P. for Windsor 1847; one of the Lords of the Admiralty 1847-50, and Commodore-Superintendent of Devonport Dockyard 9 February 1850, till his death 26 August 1851, two days after he had hoisted his flag as Rear-Admiral on board the *St. George*.[1] He married, 2 September 1846, Mary Anne, eldest daughter of Donald Cameron of Lochiel, but had no issue. She died 30 November 1850.

[1] Marshall's *Royal Naval Biography*, viii. (Suppl. pt. iv. 202); O'Byrne's 'Naval Biography,' *United Service Mag.*, 185, pt. vii. 319; *Dict. Nat. Biog.*

4. *William*, born 21 June 1794;[1] died at Yester 23 September the same year.
5. *Edward George*, born 7 May 1799, a colonel in the Army,[2] died 12 November 1862.
6. *Thomas*, born 25 August 1800, one of triplets, two of whom were still-born; in holy orders of the Anglican Church, M.A., Rural Dean and Rector of Rendleshan 1830-73, died 1890; married, 29 August 1833, Harriet, second daughter of Sir Alexander Kinloch, eighth Baronet, and by her, who died 24 January 1891, had issue two sons and three daughters, who all predeceased him.
7. *Mary Turner*, born at Hatton 28 February 1786, died, unmarried, 13 April 1860.
8. *Dorothea Francis*, born at Hatton 3 August 1789; married, 23 October 1809, to John Henry Ley, a clerk to the House of Commons, who died 21 August 1850. She died 12 October 1875, leaving issue.
9. *Hannah Charlotte*, born at Yester 28 December 1790; married, 1 June 1815, to John Sharp of Chippenham Park, co. Cambridge, Esq., who died 2 August 1863. She died *s.p.* 3 May 1878.
10. *Elizabeth*, born at Yester 14 February 1792; married, at Langton House, co. Berwick,[3] 7 September 1813, James Joseph Hope-Vere of Blackwood, co. Lanark, and Craigie Hall, who died 9 May 1843. She died 19 December 1868, leaving issue.
11. *Jane*, born at Yester 17 September 1796; died, unmarried, 5 February 1879.
12. *Julian Thomasina*, born 7 September 1797, married, at her father's house by special licence 28 July 1828, to Sir John Cam Hobhouse, second Baronet, M.P., afterwards (26 February 1851), first and only Lord Broughton, P.C., G.C.B., who died 3 June 1869. She died 3 April 1835, leaving issue two daughters.

XVI. George, eighth Marquess of Tweeddale, K.T., G.C.B., eldest son and heir of the preceding, born at Bonnington 1 February 1787, styled Earl of Gifford till he succeeded to

[1] *Scots Mag.* [2] Playfair's *Brit. Fam. Ant.*, iii. 195. [3] *Gentleman's Mag.*, lxxiii. 394.

the Peerage on the death of his father 9 August 1804, having entered the Army as ensign June previous. In 1806 he went to Sicily on the staff of the British general commanding there. As captain, joined the forces in the Peninsula, where he was appointed A.D.C. to the Duke of Wellington, and was severely wounded, while acting in that capacity, at the Battle of Busaco 27 September 1810. He subsequently became Quartermaster-General, received his majority 14 May 1812, and was again wounded at Vittoria 21 June 1813,[1] being promoted lieutenant-colonel and invalided home. On his recovery he rejoined his regiment, then engaged in the American war, was once more wounded in the disastrous action at Niagara 1813, when, refusing to surrender, he was with great difficulty taken alive. After his return home in 1814 he saw no further active service, but remained on the employed list, being appointed colonel 27 May 1825; major-general 10 January 1837; lieut.-general 9 November 1846; general 20 June 1854, and field-marshal 29 May 1875, also holding the colonelcy successively of the 30th Foot 1836, of the 42nd Foot 1862, and of the 2nd Life Guards 1863, and being sometime lieut.-general of the Royal Company of Archers, King's Body Guard in Scotland. He was made a C.B. 1815; a K.C.B. 10 November 1862; and G.C.B. 13 March 1867; elected a Representative Peer 1818, which he remained until his death, and made a K.T. 22 May 1820, being invested by George IV. at Carlton House the next day. On his return from America in 1814 he had settled on his paternal estates in Haddingtonshire, and in 1824 was appointed Lord-Lieutenant of the county, where he spent the next eighteen years in the improvement of his estates and the discharge of his duties as a landed proprietor and county magnate. In 1842 he was made Governor of Madras, and also by special arrangement of the Duke of Wellington, Commander-in-chief of the local army, then in need of re-organisation and discipline. After a useful tenure of office he resigned in 1848, when he returned to Yester and resumed his agricultural pursuits. He led the way in tile-draining, in deep ploughing, and in many bold experiments, in the course of which he incurred considerable expense. He also showed

[1] *Gentleman's Mag.*, lxxxiii. 276.

an intelligent interest in the then infant science of meteorology and in mechanics, where his knowledge enabled him to invent machinery which has been found useful by farmers.[1] His services in this respect were recognised by his election as President of the Highland and Agricultural Society. He died at Yester 10 October 1876, in his ninetieth year, as the result of an accident. He was a man of conspicuous physique, and was celebrated in the Army as a horseman and *sabreur*. He was also an accomplished coachman, and is said to have once driven the mail from London to Haddington without a halt or relief. He married, 28 March 1816, Susan, third daughter of William (Montagu), fifth Duke of Manchester. She was born 18 September 1797, and died at 9 Charlotte Street, Edinburgh, 5 March 1870, in her seventy-third year. They had issue:—

1. George, Earl of Gifford, born at Yester House 26 April 1822, educated at Trinity Hall, Cambridge; M.A. 1845; was private secretary to the Secretary of State for War 1854-55, and M.P. for Totnes 1855-62. He died at Dufferin Lodge, Highgate, co. Middlesex, 22 December 1862, in his forty-first year, as the result of an accident, and was buried at Friern Barnet. He married, by special licence, at Dufferin Lodge aforesaid, 13 October 1862, being then in a dying condition, Helen Selina, widow of Price, fourth Lord Dufferin and Clandeboye (who died 21 July 1841), daughter of Thomas Sheridan, and granddaughter of Thomas Brinsley Sheridan, P.C., M.P. She died at Dufferin Lodge 13 June 1867, aged about sixty-two.
2. Arthur, his successor.
3. William Montagu, tenth and present Marquess.
4. *John*, G.C.B., Admiral of the Fleet; Knight of the Legion of Honour, Grand Cross of the Medjidieh, born 23 August 1827, entered the Navy 1839, became captain in 1854, Rear-Admiral 7 May 1872, Vice-Admiral 31 December 1877, Admiral 8 July 1884, and Admiral of the Fleet 15 December 1888; he had a distinguished naval career; was thanked by Parliament for services rendered to the troops in the Soudan 1885, and received medal and bronze star; hoisted the

[1] *Dict. Nat. Biog.*

British flag at Cyprus, and administered the Government 1878; Commander-in-chief at Devonport 1887-88; retired 1897; made a C.B. 1855; K.C.B. 24 May 1881, and G.C.B. (mil.) 3 July 1886. He sat as M.P. (Liberal) for Wick 1857-59 and for Ripon 1866-67 and 1868-71, having unsuccessfully contested Belfast 1865. He married, 8 June 1876, Annie Christina, daughter of Nathaniel G. Lambert of Denham Court, co. Bucks, M.P., and has issue:—

(1) *John Arthur Lambert*, lieutenant R.N., born 28 August 1877; entered Navy 15 July 1891, and became midshipman 16 July 1893; sub-lieutenant 15 January 1897, and lieutenant 1 April 1898; unmarried.
(2) *Thomas William*, lieutenant Leicestershire Yeomanry, born 25 August 1882.
(3) *Minnie Christina Brenda*, born 31 May 1880; married, 15 June 1905, to Sholto Charles, Lord Aberdour, son and heir-apparent of Sholto George Watson, Earl of Morton, and has issue.[1]
(4) *Annie Norna*, born 26 August 1885; died 30 March 1886.

5. *Charles Edward*, born 26 February 1833; late captain 2nd Foot; served in Kaffir War 1851-52, unmarried.
6. *Frederick*, born 8 August 1835, formerly (1856-64) Bengal C.S.
7. *Susan Georgiana*, born 13 March 1817; married, 21 January 1836, to James Andrew (Ramsay), first Marquess (1849), and tenth Earl of Dalhousie, K.T., Governor-General of India, who died 19 October 1860. She died 4 May 1850, leaving issue two daughters.[2]
8. *Hannah Charlotte*, born 12 April 1818; married, 30 June 1843, to Simon Watson-Taylor of Erlestoke Park, co. Wilts, who died 25 December 1902. She died 10 November 1887, leaving issue.
9. *Louisa Jane*, born 29 July 1819; married, 4 June 1841, to Robert Balfour Wardlaw-Ramsay of Whitehill, co. Edinburgh, and Tillicoultry, co. Clackmannan, who died 26 June 1882. She died 9 September 1882, leaving issue.
10. *Elizabeth*, member of the Royal Order of Victoria and Albert, born 27 September 1820; married, 18 April

[1] See vol. vi. 387. [2] See vol. iii. 107.

1839, to Arthur Richard (Wellesley), second Duke of Wellington, K.G., who died *s.p.* 13 August 1884. She died at Bear Hill Park, co. Surrey, 13 August 1904.

11. *Millicent*, born September 1823; died January 1826.
12. *Jane*, born 1 April 1830; married, 9 June 1863, to Lieutenant-General Sir Richard Chambre Hayes Taylor, G.C.B. He died at Thorpe, near Chertsey, co. Surrey, 6 December 1904, leaving issue.
13. *Julia*, born 18 August 1831, unmarried.
14. *Emily*, born 15 November 1836; married, 17 January 1856, the Right Hon. Sir Robert Peel, third Baronet, P.C., G.C.B., who died 9 May 1895, leaving issue.

XVII. Arthur, ninth Marquess of Tweeddale, second, but first surviving, son and heir of the last, born at Yester 9 November 1824; educated at Leipsic and afterwards at Geneva, where he was a pupil of D'Aubigné, the historian; entered the Army as ensign and lieutenant Grenadier Guards in 1841; served with distinction in the Sutlej Campaign, 1845-46, as A.D.C. to the Viceroy; served in the Crimean War 1854-56, becoming colonel in 1860, and retired in 1866. On the death of his eldest brother in 1862 he became heir to the family honours, but did not assume the courtesy earldom, being styled Viscount Walden till he succeeded his father in the Peerage 10 October 1876. After his retirement from the Army he settled at Chislehurst, and devoted himself to the study of ornithology, on which he became a recognised authority. Elected Fellow of the Linnean Society 2 March 1865, and of the Royal Society 8 June 1881, and President of the Zoological Society of London 1868-78. He died *s.p.* at Chislehurst, 28 December 1878, aged fifty-four. Tweeddale's fine character was generally recognised.

His ornithological works, which appeared in various journals between 1848 and 1879, were collected and published privately in one volume (London, 1881, 4to) by his nephew, Captain R. E. Wardlaw-Ramsay, a memoir of him by Dr. W. H. Russell being prefixed.

XVIII. William Montagu, tenth Marquess of Tweed-

dale; next brother and heir of the last; born 27 January 1826; educated at Haileybury College; served in the Bengal Civil Service 1845-62, being sometime Deputy Commissioner of Simla, and Superintendent of Hill States, Northern India; M.P. for Taunton 1865-68, and for the Haddington Burghs August to 28 December 1878, when he succeeded his elder brother in the family honours, having unsuccessfully contested cos. Haddington, 1868, and Edinburgh, 1874. Created, 6 October 1881, BARON TWEEDDALE OF YESTER in the Peerage of the United Kingdom; Lord High Commissioner to the General Assembly of the Church of Scotland 1890-92 and 1896-97; made a K.T. 26 October 1898, and invested at Windsor Castle 8 December following.[1] He married, at St. Augustine's Church, London, 18 May 1878, Candida Louisa, third daughter of Vincenzo Bartolucci, of Cantiano in Italy, and of Greenville Park, co. Kilkenny. They have issue:—

1. William George Montagu, Earl of Gifford, sometime lieutenant 1st Life Guards; born 4 November 1884.
2. *Arthur Vincent*, lieutenant Irish Guards since 1 November 1908; born 16 November 1886; educated at Eton.
3. *Edward Douglas John*, born 2 November 1888; educated at Eton.
4. *Susan Elizabeth Clementine*, born 9 August 1879; married, 4 November 1901, to Captain Walter Waring, of Lennel, Coldstream, co. Berwick; M.P. for Banff; late 1st Life Guards; and has issue.
5. *Candida Louisa*, born and died 25 August 1882.

Creations.—Lord Hay of Yester, 29 January 1487-88; Earl of Tweeddale, by patent dated at Newcastle 1 December 1646; Marquess of Tweeddale, Earl of Gifford, Viscount of Walden, and Lord Hay of Yester, by patent dated at Kensington 17 December 1694, in the Peerage of Scotland. Baron Tweeddale of Yester, 6 October 1881, in the Peerage of the United Kingdom.

Arms (recorded in the Lyon Register).—Quarterly: 1st and 4th, argent, three inescutcheons gules, for *Hay*; 2nd,

[1] Shaw's *Knights*, i. 88.

gules, three bars ermine, for *Gifford of Yester*; 3rd, azure, three cinquefoils argent, for *Fraser*.

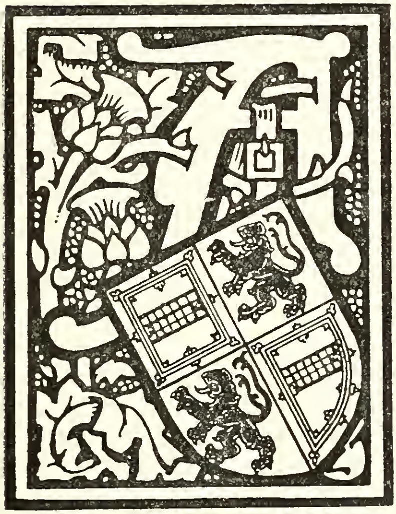
Crest.—A goat's head erased, argent, horned or.

Supporters.—Two bucks proper, attired or, collared azure, the collars charged with three cinquefoils argent.

Motto.—*Spare nought.*

[R.]

WEMYSS, EARLS OF WEMYSS



AS set forth by Sir Robert Douglas in his *Peerage of Scotland* (both editions), the family of Wemyss are said to descend from Hugh, the second son of Gillemichael, Earl of Fife. Charters show that Hugh had a son 'Egius,' or Hugh, who held the lands of Markinch.[1] This second Hugh is said to have been the father of John of Methil, who was the undoubted ancestor of the family of Wemyss. But there is conclusive evidence that the father of John of Methil was not Hugh but a Michael of Methil, whose kinship with the Earls of Fife is not clearly proved. He may be identical with Michael the Clerk, who appears frequently as a witness to charters by the Earl of Fife and to others in which the Earl is witness between 1165 and 1204, and takes rank closely after the Earl. This Michael the Clerk had also a son John, but there is nothing to prove that they were the same as Michael and John of Methil.[2] There can, however, be no doubt that the first proved ancestor of the Earls of Wemyss was

MICHAEL, called variously Michael, Michael of Methil,

[1] *Reg. Prior. S. Andree*, 216; *Reg. de Dunfermelyn*, 25. [2] See evidence and facts stated in *Memorials of the Family of Wemyss of Wemyss*, by Sir William Fraser, K.C.B., LL.D., i. xliii, 2, 3, from which work most of this article is compiled.

and Michael of Wemyss. He himself is somewhat of a shadowy personage, as he is only named in charters by his son and others. But he appears to have held Methil and Wemyss and the lands of Penshiel or Mayshiel in the parish of Whittingehame, East Lothian. He died before 1202, when his son appears as in possession of his lands. His wife has not been discovered, but he had issue two sons:—

1. JOHN, who succeeded.
2. *Duncan*, named in a charter not later than 1231 by his brother John, but apparently was then dead.[1]

JOHN, styled variously John, son of Michael, John of Methil and John of Wemyss, first appears on record as a witness to a charter by William (Malvoisin), Bishop of St. Andrews between 1202 and 1204.[2] In 1212, he is styled John of Methil, which lands he held of the Bishop, in whose court he was present on an important occasion, a division of church property.[3] Between 1227 and 1231 he gave large grants from his lands of Penshiel in Lammermoor to the monks of the Isle of May, and the Abbey of Melrose.[4] About 1239 he conveyed all his right in the church of St. Mary of Wemyss to be held as alms for the poor in the hospital of Soutra, a small building some miles from Penshiel. This grant was confirmed in 1240 by David, Bishop of St. Andrews, who then styles the granter Sir John of Methil, Knight, and in 1261 he is described by Gamelin, Bishop of St. Andrews, as Sir John of Wemyss, son of Michael of Wemyss.[5] The historian Bower relates of Sir John that just before the battle of Largs he lay sick with an aguish fever, when he had a vision of Queen Margaret, her husband, and three of their sons in the church of Dunfermline. The Queen spoke to Sir John, told him who they were, and that they were hastening to Largs to defend their country. Sir John ordered his retainers to carry him to Dunfermline, and while kissing the relics of the sainted Queen, recovered from his malady, and ere he left the spot a messenger arrived with the news of the Scottish victory over the Norwegians.[6] This is the last appearance of Sir John

[1] *Reg. Prior. S. Andree*, 381. [2] *Ibid.*, 106. [3] *Ibid.*, 315, 316. [4] *Ibid.*, 381; *Liber de Melros*, i. 189 *et seq.* [5] *Charters of the Collegiate Churches of Midlothian*, 13, 25, 34. [6] 2 October 1263, Fordun *à* Goodall, ii. 97, 98.

Wemyss on record, and he probably died towards the close of the year 1263. The name of his wife is not known, but he had two sons:—

1. Michael, who succeeded.
2. *John*, who, about 1289, had a charter to himself and his wife Amabilla, from her father Sir John of Anesly, of the lands of Upper Cameron and part of Nether Cameron, co. Fife, lands which marched at one point with the territory of Wemyss.[1] He had also a charter from his nephew David, of the lands of Wester Raith in same county.[2] He had, so far as recorded, a son,

David Wemyss of Cameron, who was knighted before 1330.[3] He had in 1332 a grant of Nether Cameron from his kinsman Michael Wemyss, and other gifts.[4] He was Sheriff of Fife from 1337 to 1359,[5] and took a considerable share in the history of that period. About 1345 he received from Duncan, Earl of Fife, a grant of the lands of Wester Reres, co. Fife.[6] He was one of the barons who guaranteed the treaty with England when King David was released in 1357. He resigned his lands on 10 January 1373-74, in the hands of Robert, Earl of Fife and Menteith, his superior, in favour of his kinsman John Wemyss of Kincaldrum,[7] who, as will appear later, was the nearest heir-male of the family, and was ancestor of the present family of Wemyss. He thus cut out his own son from possession of the lands. David Wemyss died after Whitsunday 1375.[8] His first wife, in 1332, was named Margaret; his second, in 1358, was Isabel Crichton.[9] He had two sons:—

(1) *David*, who was a hostage for King David II., and was delivered to the custody of the Sheriff of Northumberland about November 1358; but nothing more has been discovered regarding him, and he apparently predeceased his father.

(2) *Duncan*, who, in 1389, describes himself as son and heir of the late Sir David Wemyss of Cameron. In 1376 and 1389 he entered into agreements with John Wemyss of Kincaldrum as to his father's lands, the result of which was to leave John Wemyss in possession, Duncan receiving an allowance for life. After 1389 he is not referred to, and may have died without issue. 'Thomas, son of Duncan,' is referred to in an old writ by Sir John Wemyss of Reres in 1417, but there is nothing to show that he was connected with Duncan Wemyss of Cameron.

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[1] *Wemyss Book*, ii. 4, and facsimile. [2] *Ibid.*, 8, 265. [3] *Reg. Prior. S. Andree*, 399. [4] *Wemyss Book*, ii. 11-13. [5] *Ibid.*, i. 15 *n.*; *Exch. Rolls*, i. 559-563. [6] Robertson's *Index*, 39, No. 43. The date of charter is estimated by those of others on same roll. [7] *Wemyss Book*, i. 16; ii. 15. [8] *Exch. Rolls*, ii. 502. [9] *Ibid.*, i. 562.

Sir Michael Wemyss of Wemyss, who succeeded his father, Sir John, first appears on record as a witness to a charter by his father in 1231. He probably was then very young, and he does not occur again in history till about 1280, when he is a witness to a charter by Sir Malcolm Moray.[1] He is also, between 1289 and 1296, a witness to various charters by his son David.[2] He was one of the Scottish barons who met at Norham in 1291, and he supported the pretensions of John Baliol to the crown of Scotland. In 1296 he did homage to King Edward I. twice, once at Stirling in June and again at Berwick on 28 August. In 1304 King Edward was for a day and night at Wemyss Castle, but in June 1306 he wrote to Sir Aymer de Valence that he was not pleased with Sir Michael's conduct, directing Sir Aymer to destroy his manors and lay waste his property. He also proposed to give Sir Michael's estates to some of his own favourites, but this was frustrated by his own death at Burgh-on-Sands. Other references to Sir Michael Wemyss show him taking an interest in local affairs, the last notice of him being in connection with a dispute between the monks of Dunfermline and the tenants of Leslie as to their marches. Sir Michael was one of the arbiters chosen on behalf of the Abbey,[3] but when the arbiters met at Newbattle, on 13 March 1319-20, he was not with them, and may have died about that time or a little later, as no further reference to him has been found. His wife is not certainly known, but she may have been a daughter and coheiress of Sir David Lochore.[4] They had issue, so far as recorded, one son:—

1. David, who succeeded.

Sir David Wemyss of Wemyss, who succeeded, first appears on record between 1290 and 1296, when he granted to Annabella Sinclair, widow of Sir Robert Bisset, certain lands in the barony of Lochore, including rights over Balbedie, Capildray, Strathruddie, co. Fife; Ardargie, in Perthshire, Wester Dron; and the half of 'Eglisdikin,' in the earldom of Menteith.[5] In another writ Sir David styles himself lord of the half lands of Sir David Lochore, late

[1] *Reg. Moraviense*, 461. [2] *Wemyss Book*, ii. 9, 265. [3] *Reg. de Dunfermelyne*, 239. [4] Cf. *Wemyss Book*, ii. 5-7. [5] *Ibid.*

lord of Lochore.[1] This seems to imply that his mother was an heiress of that family. It was this Sir David Wemyss who, according to Wyntoun, was one of the ambassadors sent to Norway to bring over the 'Maid of Norway' to be Queen of Scotland, but as is well known this mission failed because of her sudden death.[2] Sir David swore fealty at Berwick in 1296, but seems to have joined the patriotic Scots for a time, as in April 1304 he and his wife were received back to favour by the English King.[3] In 1306 he appears to have adhered to Bruce, as application was made for his lands as well as those of his father, but little is recorded of him till after Bannockburn, except that he was one of a jury who sat at Cupar in Fife on 9 October 1312 to inquire into the rights and emoluments of the office of Constable of Crail.[4] Other notices of him refer to charters granted by and to him. He died about 1330, certainly before 1332.[5]

He married, or was betrothed to, Annabella Sinclair named above, to whom he granted the charter of the Lochore lands, to her and his children by her. Some time before 1304 he married Marjory Ramsay, daughter of Walter Ramsay.

He had issue:—

1. Sir Michael, who succeeded.
2. *John*, who has been stated to be the son of the Sir Michael who succeeded in 1332, but Crawfurd makes him the brother of that Sir Michael and son of the last Sir David, which is more in harmony with facts.[6] He received from King Robert a charter of one-third of the barony of Leuchars, and from Sir Alexander Abernethy the lands of Kincaldrum in Forfarshire. He appears to have received the rank of knighthood, but the family writs are so few at that date that little is known of him, and there is no evidence as to his death or children, though it is certain that he was succeeded in his lands of Leuchars and Kincaldrum by his grandson *John*,[7] afterwards Sir John Wemyss of Leuchars, Kincaldrum,

[1] *Wemyss Book*, i. 8. [2] *Ibid.*, 26, 27. [3] *Cal. Doc. Scot.*, ii. 209, 232, 400. [4] *Wemyss Book*, i. 28. [5] *Ibid.*, ii. 265, 266. [6] *Ibid.*, i. 30, where the point is discussed. [7] *Ibid.*, i. 30, 31.

and Reres, who carried on the line of the family. See notice of him below.

Sir Michael Wemyss of Wemyss, who succeeded, was already a knight in or about 1316 when he was a witness along with his father and grandfather to a charter of Christian Hay in favour of John, son of Ness Ramsay of the lands of Forthar, co. Fife.[1] Between 1328 and 1332 he had a grant of the lands of Wester Dron and others from Duncan, Earl of Fife. He also granted the lands of Nether Cameron to his kinsman Sir David, and confirmed the charter granted by his father to the hospital of Soutra. To this confirmation Sir Thomas Randolph, Earl of Moray, was a witness, with other magnates, which recalls the fact that it was at Wemyss that the Regent was seized with the fatal illness which caused his death some time after.[2] If Sir Michael was present at the battle of Dupplin he escaped the carnage, and was at the coronation of Edward Baliol at Scone in September 1332. He was taken prisoner at Halidon on 19 July 1333, but was liberated on swearing fealty to King Edward III., to whose party he adhered until, at least, the year 1336. He has not been discovered on record after 1342, and he probably died about that year. His wife is not known, and though he is said to have left three sons, this is erroneous, and he is with good reason believed to have had three daughters:—

1. *Margaret*, married to Sir John Inchmartin of that Ilk. She had a daughter *Isabel*, married to Sir Alan Erskine, who had two daughters, first, *Margaret*, married to Sir John Glen, and second, *Isabel*, married, about 1386, to Sir John Wemyss of Kincaldrum and Reres, by whom she became the ancestress of the present families of Wemyss.
2. ——, married to [John] Livingstone of Drumry and East Wemyss. (*See title* Teviot.)
3. ——, married to —— Boswell of Balmuto.[3]

Sir John Wemyss of Kincaldrum, Reres and Wemyss,

[1] *Eighth Rep. Hist. MSS. Com.*, 305. [2] *Wemyss Book*, i. 39, 31. [3] This arrangement of Sir Michael's family founded on the evidence of charters and lands possessed by the families of Inchmartin, Wemyss, Glen, Livingstone and Boswell, too long to be stated here, will be found in the *Wemyss Book*, i. 38 *et passim*, where authorities are given.

who has been shown (page 479 *supra*) to be the grandson of Sir John, second son of Sir David Wemyss the ambassador, now became heir-male of the family, and by his large possessions, and by his reacquisition of early Wemyss lands, was the real founder of his house. He is first named in 1372, when he granted to Sir Andrew de Valoniis the half mill of Lochore which had belonged to his great-grandfather David Wemyss.[1] In January 1373-74 his kinsman, Sir David Wemyss of Cameron, resigned in his favour the lands of Reres, Myrecairnie, Nether Cameron, and Methil.[2] In 1376, after Sir David's death, his son Duncan entered into an agreement with Sir John, which, in 1389, resulted in the estates finally passing to the latter.[3] He also secured his title to other lands which he held from Sir Alan Erskine, Robert Livingstone, and John Boswell, the three co-parceners of the original estate of Wemyss, and in October 1392 he was possessor of Reres, Myrecairnie, Newton, and Markinch, Nether Cameron, Wester Tarvit, and Tillybreak, all in Fifeshire, and Kincaldrum in Forfarshire.[4] He inherited the last from his grandfather Sir John, together with Leuchars. He was proprietor of Kilmany, Lathocker, Myrtoun, and others, and he held the office of Constable of the castle and town of St. Andrews. He had also Methil and other lands.[5]

In 1392 he received permission from King Robert III. to build a castle upon his lands of Reres, and did so upon the site of the more ancient stronghold of that name. For some offence on Sir John's part, of what nature is not known, his castle of Reres was in 1401 besieged by the Duke of Rothesay, acting as Lieutenant-General of the Kingdom. Warlike engines were brought from St. Andrews to aid in the siege, but it must have lasted only a short period, as the only record of it occurs in the Chamberlain's accounts of the year 1402.[6] Sir John appears also to have lost his lands for a time, as a royal letter addressed to Alexander, Earl of Buchan, directs that Sir John's lands be restored to him, as he had submitted to the law and given sureties to that end.[7] This mandate was no doubt

[1] *Reg. Mag. Sig.*, fol. vol. 116, No. 16. [2] *Wemyss Book*, ii. 15. [3] *Ibid.*, 16, 23. [4] *Ibid.*, 29. [5] *Ibid.*, i. 47. [6] *Exch. Rolls*, iii. 552, 557, 560. [7] *Wemyss Book*, ii. 44.

obeyed, as after this date Sir John bestowed Reres on his eldest son Duncan, and granted other charters. Other acts of Sir John are not important, but one should keep his memory green to Scottish historians, as it was to a suggestion of his that Andrew Wyntoun's *Chronicle* owes its inception and completion.[1] He died about 1428. He married, first, a lady whose name has not been ascertained, by whom he had issue; secondly, Isabel Erskine, younger daughter of Sir Alan Erskine of Inchmartin. She died between 1419 and 1427; and Sir John married, thirdly, Christian Ogilvy, daughter of Sir Patrick Ogilvy of Auchterhouse. In 1463 she renounced her terce in favour of Sir John's grandson.

By his first wife, Sir John Wemyss had issue:—

1. *Duncan*, who is named as heir of his father in 1400, and was provided to or inherited the lands of Reres, Leuchars-Wemyss, with Logie-Murdoch and others in Fife. He went to England in 1432 as a hostage for King James I., was still there in 1438, and probably died there. He married, between 1398 and 1400, Elizabeth Erskine, daughter of Thomas Erskine of that Ilk and Joanna Keith. He was the ancestor of the families of Wemyss of Reres, Wemyss of Pittencrieff, and Wemyss of Myrecairnie or Logie.[2]
2. *Alexander*, who was, in 1407, provided by his father in the lands of Kilmany, and died in 1418. He was the ancestor of the family of Wemyss of Lathocker, co. Fife.[3]
3. *Michael*, who, in 1432, acted as tutor of Wemyss. He had the lands of Pitmiddil, co. Perth. He died apparently without issue.

By his second marriage Sir John had issue:—

4. David, eldest son, who succeeded to Wemyss.
5. *Andrew*, who, in 1424, was a witness to a sasine in favour of his brother David. It is not improbable that it was he who acted as Sheriff in the infeftment of the young Laird of Wemyss in 1468. He is said to have had a son, *John*.[4]
6. *Elizabeth*, married (contract 31 August 1418) to

[1] Wyntownis *Cronykil*, Prologue. [2] *The Wemyss Book*, i. 58-64.
[3] *Ibid.*, 65. [4] *Ibid.*, 66; ii. 51, 269.

Andrew Gray, younger of Foulis, afterwards first Lord Gray, and had issue. (*See that title.*)

7. *Isabella*, married, as his second wife, to Hugh Fraser of Lovat. (*See that title.*)

David Wemyss, of Methil and Wemyss, describes himself, in 1418, as 'son and apparent heir of Sir John of the Wemyss' and of Isabella Erskine, thus showing he was the eldest son of Sir John's second marriage. He inherited part of Wemyss, with other lands, from his mother Isabel of Inchmartin, including the baronies of Inchmartin, and Strathardil in Perthshire. He made an arrangement, in 1429, to exchange his part of Inchmartin for the third part of Wemyss in the hands of his aunt Elizabeth Inchmartin or Glen, but this purpose was hindered by his premature death. David Wemyss also endeavoured to gain back another part of the old Wemyss estate by proposed alliance with the Livingstones of Drumry, coparceners of Wemyss, and the agreements made by him were so far carried out. The young Laird of Wemyss, however, died at an early age, before September 1430. He married, between 1 and 4 February 1423-24, a lady named Christian Douglas, who is described as the widow of the late Sir William Douglas.[1] Sir William Fraser suggests her first husband was a son of the Laird of Lochleven, but he had a dispensation to marry an Elizabeth Lindsay. (*See title* Morton.) He may, however, have married twice. Christian Douglas survived David Wemyss, and married, thirdly, before 1443, Sir James Auchinleck of Auchinleck. She was still alive in 1465, having issue by Sir John. David Wemyss and his wife had issue:—

1. John, who succeeded.
2. *Euphemia*, contracted in 1428 to William Livingstone, younger of Drumry, and in 1443 to David Ogilvy, son of Andrew Ogilvy of Inchmartin, but it is not certain that she married either.
3. —— a daughter, name unknown, whom, in 1444, it was proposed to marry to a nephew of Andrew Ogilvy, but nothing further has been ascertained regarding her.

[1] *Wemyss Book*, ii. 47-51.

JOHN WEMYSS of Wemyss succeeded to his father in 1430, being then about five years old, and he was for a time under the tutory of his uncle Michael. He came of age about 1446, and immediately began a series of efforts to purchase or obtain back the various parts of the old Wemyss-shire estate. Since its division, about 1342, among the three daughters of Sir Michael Wemyss, the territory had been more subdivided among their descendants, and the co-parceners had become numerous. Their various ramifications and the long struggle made by John Wemyss to attain his end cannot be dealt with here, but the whole subject is set forth in order in Sir William Fraser's work, so often referred to. Besides the purchase proceedings and the litigations which rose out of them, there is not very much to record of this Laird. He was created a Knight about 1460, perhaps at the coronation of King James III. His later years show that he was very fond of appearing in the law-courts, and his latest act was to raise an action against his own eldest son and heir, with others, for alleged spoliation. He died at the age of seventy-six, on Good Friday 1502, or on the day before it, there being two versions of the date.[1] He married, sometime before 1448, and in terms of an agreement of 19 November 1429, Margaret Livingstone, daughter of Sir Robert Livingstone of Drumry, but for some reason they were divorced in 1489. They parted amicably and she died about 1494. He married, secondly, without issue, a lady named Helen Dunbar, who survived him.[2] She was the widow of Alexander Melvill, burgess of Kirkcaldy,[3] by whom she had children. After Sir John's death she married Andrew Moncur of that Ilk, who died before 2 May 1511, whom also she survived.[4]

Sir John and his first wife had issue:—

1. JOHN, who succeeded.
2. *David*, who received from his father, in 1487, the lands of Auchleven, co. Aberdeen, to be held of the Earl of Mar for one gilt spur in name of blench.[5] He sold Auchleven in 1490.

[1] *Acta Dom. Conc.*, xii. f. 114b, xiii. f. 42. [2] Sir William Fraser states that this lady was the wife of Sir John's son, but she is distinctly referred to as the widow of Sir John the elder on 25 January 1502-3 (*Acta Dom. Conc.*, xii. f. 43). [3] *Ibid.*, xiii. f. 22, 23, February 1502-3. [4] *Ibid.*, xxii. f. 114. [5] *Reg. Mag. Sig.*

3. *Grisel*, married, about May 1466, to David Boswell of Glassmonth, son and heir of David Boswell of Balmuto, with 240 merks of tocher, and she and her husband had, on 18 May 1466, a grant from her father of the lands of Tillybreak, and 40s. yearly from Little Lun.[1] On 21 December 1466 they received other lands. They had issue.

Sir John Wemyss succeeded his father about 1502. In 1468 his father resigned in his favour a great part of his lands, the list of which shows their curious division and arrangement at this time—the lands of Wardropstoun with fishings in Kincardine, Balhall in Forfarshire, a third of Strathardle (two-thirds were settled on John Wemyss and his wife separately), the lands of Inchmartin, Pitmiddil, and Kinnaird, the sixth part of Elcho and Balhepburn, also the half of Elcho, Balhepburn, and Ardargie, in Perthshire; three-quarters of Dron and of Wemyss, in Fifeshire, and a fourth part of the Dron, with the lands of Tillybreak, Little Lun, Cameron-mill, the Haugh, Wemyss-Tarvit and Pitconnochie, all in Fifeshire. He was created a Knight sometime after 1487, and during his father's lifetime was styled Sir John Wemyss of Strathardle. Soon after his succession to the estates he had a dispute with his neighbour, Sir Robert Livingston of Drumry, as to the coal and salt of Wester Wemyss and the expenses of working, and also as to certain lands, but the matter was finally arranged by arbitration.[2] Little more is recorded of this Sir John Wemyss, and he died between December 1507 and May 1508. He married, in or after July 1468, Christian Abernethy, daughter of William, second Lord Abernethy of Saltoun,[3] not of Laurence, first Lord, as Sir William Fraser states. Sir John is also said to have married a lady named Helen Dunbar, but she was the wife of his father.[4]

They had issue:—

1. David, who succeeded.
2. *Gavin*, who is named in an action of 1493, and in a charter of 1504, to White of Maw.[5]
3. *Charles*, named along with his father in 1502, and

[1] *Reg. Mag. Sig.* [2] *Wemyss Book*, i. 96-98. [3] Vol. vii. of this work, 408. [4] Page 484 *supra*. [5] *Acta Dom. Conc.*, 299; *Reg. Mag. Sig.*

alleged to have despoiled his grandfather of two horses.[1]

4. *John*, who in 1504 was a student at St. Andrews, and had a grant from his father of 20 merks yearly from the lands of Newton.[2]
5. *Agnes*, contracted, on 13 April 1482, to Andrew Kinninmonth, younger of that Ilk, with a tocher of 600 merks, a dispensation being procured for the marriage. No certain evidence, however, has been found of the marriage, yet it probably subsisted, though but for a short time, as in 1491 an action was brought by Kinninmonth for payment of the full tocher, of which 240 merks were still due in 1505.[3]
6. *Margaret*, married to John Melville of Raith; they had a charter from her brother, in 1503, of the lands of Wester Raith.

David Wemyss of Wemyss, who succeeded, did not hold the estates very long, but he steadily pursued the policy of his predecessors by purchasing back, where possible, small portions of the ancient territory of Wemyss and consolidating them in the hands of his own family. About 1510 he was created a Knight, and in that or the following year he resigned all his lands into the hands of King James IV., who erected the various estates into one barony, to be called the barony of Wemyss. It comprehended the lands of Wemyss-shire (applied here only to Wester Wemyss), Little Lun, Tillybreak, Cameron-mill, the Haugh, Dunipace, Petconnochie, Wester Tarvit, Wester Dron, and Hilldron, all in the sheriffdom of Fife; the lands of Elcho and Balhepburn, the third part of Strathardle, the half lands of Ardargie and the lands of Kinnaird, all in Perthshire, with the lands of Balhall in Forfarshire. Power was given to erect the Haven-town of Wemyss, the Kirkhill of Kirkmichael, Ballinkillie and Ballinald into free burghs of barony, with the usual privileges.[4] But the grantee did not long benefit by his new charter, as he followed King James IV. to Flodden, and was killed there on 9 September 1513. Sir David Wemyss married, first, before 11 May 1493,[5] Euphemia

[1] *Wemyss Book*, ii. 118. [2] *Ibid.* [3] *Ibid.*, 98-101, 124-126. [4] *Reg. Mag. Sig.*, 28 August 1511. [5] *Ibid.*, at date.

Lundy, said to be a daughter of John Lundy of that Ilk.[1] He married, secondly, between 1508 and 1512, Janet Gray, fourth daughter of Andrew, second Lord Gray, widow of John Charteris of Cuthil Gurdy. (*See title* Gray.) She survived her second husband, and married, thirdly, William Keith, sometime heir of Sir William Keith of Inverugie. (*See title* Marischal.) She married, fourthly, about 1530, James Campbell of Lawers.

By his first wife Sir David Wemyss had issue:—

1. David, who succeeded.
2. *James*, who had a charter from his brother David on 29 August 1522 of the lands of Newton and Cameron-mill. On 15 February 1534-35 he discharged his brother of all sums due to him from his father's estate.[2]
3. *Robert*, of Easter Lathrisk, also designed 'in Caskieberran.' He died before 24 October 1542, having married Janet Symsoun, daughter of William Symsoun of Lathrisk, and one of the six sisters and heiresses of Henry Symsoun of Lathrisk. She survived, and was alive in January 1554-55.[3] They had issue two sons, *David* and *Robert*. Robert Wemyss had also a natural son *John*, legitimated in 1548.[4]
4. *Elizabeth*, who, in 1535, joined in the above discharge granted to her brother David. She died, unmarried, before 26 October 1544, when her nephew John Wemyss of that Ilk was retoured her heir.[5]

David Wemyss of Wemyss succeeded his father on 9 September 1513, and made up his titles to his estates in the following year. He bound himself in manrent service to James Beaton, Archbishop of Glasgow, and received a pledge of maintenance in return. In April 1515 he granted a charter to the burgesses of the haven-town of Wemyss, with the port and anchorage there to be held in free burgage, with all the usual privileges, magistrates, markets and fairs, they paying certain dues to the lord of the manor.[6]

[1] Wood's *East Neuk*, 2nd edit., 47. [2] Old inventories of writs at Wemyss. [3] Protocol Book of John Robesoun, f. 86a. [4] *Wemyss Book*, i. 105, 106; *Reg. Sec. Sig.*, xxi. 89. [5] *Wemyss Book*, ii. 167. [6] Old copy charter, 29 April 1515, in Wemyss Charter-chest.

There is little of special interest to record about this Laird of Wemyss, as he was chiefly engaged in litigation or disputes on local matters, and his share in public events was comparatively small. He appears, however, to have attended King James v. in his efforts to settle the Borders in 1527, and on his return home with the Lairds of Raith and Balgonie was attacked by the Moutrays of Seafield.[1] On 9 January 1530-31 he had a royal licence to go on pilgrimage to the shrine of St. John of Amiens in France. In 1538 he was with King James during the arrangement and celebration of his second marriage with Mary of Guise at St. Andrews. He died before 27 May 1544, leaving no will, and his successor was appointed his executor-dative.[2] He married, first (contract dated 27 January 1511-12), Katherine Sinclair, eldest daughter of Henry, third Lord Sinclair (*see that title*), and by her had two sons and two daughters. She was dead before 7 March 1526, when he was contracted, secondly, to Mariota, daughter of Sir John Towers of Inverleith. She survived her first husband, and married, secondly, Mr. Bernard Hamilton of Bogwood, with issue. She was still alive on 28 August 1588, being then described as 'auld Lady Wemyss.'[3] David Wemyss had issue:—

1. John, who succeeded.
2. *James* Wemyss of Caskieberran, ancestor of Sir James Wemyss of Burntisland, who, on 28 March 1672, married Margaret, afterwards Countess of Wemyss, and on 18 April 1672 was created Lord Burntisland.[4]
3. *David*, son of the second marriage to Mariota Towers, who in 1538 resigned in his favour the lands of Dron and Hill-dron in Fifeshire. He also received from his father the lands of Strathardle and others in Perthshire. He entered the Army and was known as Captain David Wemyss of Dron. He died at Dysart in February 1593-94.[5] He married, first, about 1553, Margaret Cunningham. He married, secondly, about 1577, Janet Beaton, daughter of John Beaton of Auchmithie, and widow of James Lundy of Conland.

[1] *Melville Book*, iii. 71. [2] *Wemyss Book*, ii. 161-166. [3] *P. C. Reg.*, iv. 317. [4] See that title, *ante*, vol. ii. 281 *n.*, where his full descent is given. [5] Edin. Tests., 15 July 1594.

She died 22 January 1578-79.[1] He married, thirdly, Euphame Kinninmonth, who survived him, and was alive in October 1596, when she had a dispute with the tenants of her terce lands of Freuchie in Fifeshire.[2] Captain David Wemyss had (with other issue, whose names have not been ascertained, all by his first marriage) *David*, alive in 1579; *James*, who succeeded, married Helen Lundy, and died before 1612, leaving a son *Robert*.[3]

4. *Margaret*, married to James Wemyss, brother of the Laird of Pittencrieff.
5. *Grisel*, married to Andrew Kinninmonth. She married, secondly, David Ramsay of Brackmonth.[4]
6. *Jonet*, married, first (contract 28 April 1540), to Thomas Clephane, younger of Carslogie;[5] secondly, to Robert Boswell.[6]
7. *Mariota*, apparently by his second marriage, married (contract dated 26 November 1549) to Robert Fairlie of Braid,[7] with issue. In 1573 she resigned her rights of terce over Braid, and obtained the lands of Plewlands in exchange.[8]

David Wemyss had also two natural sons, *James* and *Patrick*, legitimated 3 April 1548,[9] also a natural daughter *Margaret*, married to Alaster Reid, *alias* Robertson, in Strathardle.[10]

Sir John Wemyss of Wemyss succeeded to his father in May 1544, and was then probably about thirty-one. He was appointed executor to his father, who seems to have died intestate, and he was also duly retoured heir, on 19 February 1544-45. Previous to this he had taken a part in public affairs, having joined the Earl of Glencairn in his skirmish against Arran on Glasgow moor. This implies that he was then inclined to favour the English faction in Scotland, but he was soon after reconciled with the Governor Arran, and he afterwards steadily adhered to the Governor's party. He was, between 1544 and the battle of

[1] Edin. Tests., 7 May 1579; *Reg. Mag. Sig.* [2] 27 October 1596; *Fife Inhibs.* [3] *Gen. Reg. Inhibs.*, iv. f. 290. [4] *Wemyss Book*, ii. 170, 200. [5] *Acts and Decreets*, xlii. 263. [6] Protocol Book of T. Dalrymple, 26 March 1557. [7] Inventory of Writs, Wemyss of Bogie, Gen. Reg. Ho. Inventories, ii. [8] *Reg. Mag. Sig.*, 15 March 1573-74. [9] *Reg. Sec. Sig.*, xxi. f. 89b. [10] *Ibid.*, lii. 52.

Pinkie, several times summoned on military service, and he was taken prisoner at that conflict on 10 September 1547. He was, however, soon liberated, and was present at the siege of Broughty Castle in December of same year. In August 1548 he is said to have taken an active part in repulsing an attack made by the English fleet on the coast of Fife. But this victory has been assigned to others, though it is significant that soon afterwards, in June 1549, the Laird received from Patrick, Earl of Bothwell, Admiral of Scotland, the gift of a pinnace, which had sunk at St. Monans, with all its artillery and fittings.[1] Another story told by Bishop Lesley is to the effect that the Laird of Wemyss and another were commissioned to convey the remonstrances of [the Scottish] Parliament to the Queen-Dowager, Mary of Guise, then Regent, against the imposition of a tax to maintain foreign mercenaries in the kingdom. Their remonstrances were effectual, and the proposal was abandoned.

In the dispute which arose between the Queen-Regent and the Lords of the Congregation the Laird of Wemyss took the part of the former, a fact which afterwards led to his arrest by the victorious Protestant party, but he was soon released. In February 1564-65 Queen Mary paid a visit to Wemyss Castle, where she first met her future husband, Henry Darnley. The Laird was an adherent of the ill-fated Queen, and fought on her behalf at the battle of Langside, which seems to have been the last in which he engaged. He received the honour of knighthood about this time. Much of the Laird's attention was occupied with his estates and with numerous questions which arose in connection with them and the encroachments of neighbouring proprietors. But these cannot be detailed here. Sir John Wemyss died at Easter or Wemyss Elcho, on the banks of the Tay, between the 25 and the end of January 1571-72.[2] This Laird of Wemyss married, first, about 20 October 1534, Margaret Otterburn, eldest daughter of Sir Adam Otterburn of Redhall, King's Advocate, and Provost of Edinburgh. For some reasons not stated he obtained a

[1] *Wemyss Book*, ii. 178, 179. [2] *Ibid.*, 202, 298. He was alive, and made his will, on 25 January, but is said (Edin. Tests., 27 May 1574) to have died in January, therefore before the end of that month.

divorce from her in 1556, but they parted amicably, he securing to her all her dowry rights. Her children in June 1572, after her death, raised a process for annulling the divorce, but with no definite result. She predeceased her husband in or before 1567. Sir John married, secondly, before 21 February 1557-58, Janet, daughter of Alexander Trail of Blebo, and widow of John Ramsay of Ardbekie, who had been killed at Pinkie. On 11 July 1575 her stepson compounded with her for her terce and paid her £1000 Scots in full of all claims. No more is known of her.

By his first marriage Sir John had issue:—

1. David, who succeeded.
3. *John*, who, in June 1572, joined with his brother and sisters in appealing for annulment of their mother's divorce. According to David, second Earl of Wemyss, writing in December 1672, this John 'died goeing to France, by shipwrack.'[1]
3. *Margaret*, married (contract dated 27 November 1555) to David Barclay of Collairnie,[2] co. Fife, and had issue. She survived her husband, dying in September 1608.
4. *Agnes*, married, before February 1567-68, to John Aytoun of Dynmure.
5. *Elizabeth*, married to David Balfour of Balbuthy, Barry, and Montquhannie, whom she survived, and married, secondly, 'Mr. Robert Carnegie.' He is so designed in a Fife inhibition of 14 February 1593-94, and it is possible that he may be Mr. Robert Carnegie, parson of Kinnoull, fourth son of Sir Robert Carnegie of Kinnaird. He is said to have died unmarried, but in the inventory of his goods these are divided into two parts, indicating that he had a wife, though no mention is made of her in his will or elsewhere.[3]
6. *Euphame*, married (contract dated 4 October 1568) to Mr. David Carnegie of Colluthie, second son of Sir Robert Carnegie of Kinnaird, and ancestor of the Earls of Southesk (*see that title*) and Northesk.[4] She died on 16 November 1593, leaving issue. Sir William Fraser suggests that she was the widow of Andrew Dunbar of Kilconquhar, who died about

[1] *Wemyss Book*, ii. 208, 209. [2] *Ibid.*, 182. [3] *History of Carnegies*, i. 39, 40.
[4] *Wemyss Book*, ii. 208-210, 296, 297.

1564-65,[1] but that is a mistake. Euphame, Lady of Kilconquhar, was married, secondly, before 1566, to John Wemyss, not otherwise designed, and was still his wife in 1570.[2]

By his second marriage Sir John Wemyss had issue:—

7. *Gavin* Wemyss of Powguild, in the parish of Auchterderran, afterwards of Unthank, or Winthank, in the parish of Cameron. He married Catherine Wemyss, daughter and heiress of David Wemyss of Unthank, and was the ancestor of the family of Wemyss of Wemyss Hall, co. Fife, now represented by David Wemyss of Wemyss Hall.[3]
8. *Patrick*, burgess of Dysart, named along with his brother Gavin on 27 October 1596,[4] and also in a charter of date 5 June 1580.[5]

Sir John Wemyss had also several illegitimate children, of whom the following are known:—

Robert Wemyss of Earl's Seat, who died in August 1584. He married Margaret Law, who was alive on 15 December 1596, and gave up her husband's testament in name of *James* Wemyss their lawful son.[6]

Michael, legitimated on 3 April 1548.[7] He became a captain in the Army, and appears as such during the regencies of Moray, Lennox, and Morton. He was wounded and taken prisoner in a skirmish at the Nether Bow of Edinburgh, in June 1571, dying soon afterwards.[8]

James, legitimated 3 April 1548, and who, as 'son to John Wemyss of that Ilk,' was chosen on 20 March 1548-49 to the parish clerkship of Dysart.[9]

Duncan, legitimated 3 April 1548, to whom and to his mother, Elizabeth Towers, his father, on 1 February 1548-49, gave a lease of certain lands including the kirklands and kirktown of Easter Wemyss. He was alive in 1593.[10]

[1] *Wemyss Book*, i. 184*n*. [2] *Acts and Decreets*, xxxv. 431; xlv. 289. [3] See pedigree in Burke's *Landed Gentry*. [4] *Fife Inhibs.*, at date. [5] *Reg. Mag. Sig.*, 28 July 1580. [6] Edin. Tests., at date. [7] *Reg. Sec. Sig.*, xxi. 89b. The names (Michael, James, and Duncan) are here arranged as in the legitimation. They are described as brothers, and may all have been the sons of Elizabeth Towers described as the mother of Duncan. [8] *Diurnal of Occurrents*, 225. [9] *Wemyss Book*, i. 156, 157. [10] *Ibid.*, 156.

John, styled brother-natural to David Wemyss of that Ilk in a writ of 9 November 1594.[1]

Katherine, named in Sir John's will as his 'dochter-naturall' as legatee to 500 merks. Other natural daughters are referred to, but their names are not given. He left to each the sum of £10 Scots.[2]

DAVID WEMYSS of Wemyss, 'David with the Birken Flower,'[3] was born probably about 1535. In 1557 he was required in his father's stead to lead his men in war, and from that time he acted as his father's substitute, and was also commissioned to perform judicial functions. He succeeded his father in January 1571-72, and on May 14 was served heir to the barony of Wemyss, but certain protests were made, and complete infeftment was delayed until November. He was also retoured heir to his grandfather David Wemyss in the barony of Methil, and other lands, which he then resigned in favour of his eldest son John. His possession of the estates was characterised by a series of disputes as to marches and rights of fishing and other property, one of these quarrels growing into a feud which attracted the attention of the King, but was finally terminated peacefully. He won the young King's favour by lending money to him on more than one occasion. During the festivities in May 1590, ensuing on the King's marriage with Anna of Denmark, Wemyss was honoured by a royal request that he should for one night give hospitality to certain distinguished Danish visitors. King James himself was a guest in the castle in the following June. David Wemyss died intestate on 22 February 1596-97. He married (contract dated 7 May 1556), Cecilia, daughter of William, second, and sister of Patrick, third Lord Ruthven, who arranged her marriage. She had a tocher of 3000 merks. She died on 8 July 1589.

They had issue:—

1. SIR JOHN, who succeeded.
2. *Sir James* Wemyss of Bogie, ancestor of the families of Wemyss of Bogie, Balfarg, and Condland, all in Fife. He was infeft in Bogie and other lands by his father in 1583, on condition he should resign them if

[1] *Wemyss Book*, i. 157. [2] *Ibid.*, 157; ii. 202. [3] Macfarlane's *Gen. Coll.*, i. 33.

he succeeded to the Wemyss estates. He survived till about 1640. He married, in 1585, Margaret Melville, daughter of John Melville of Raith, by whom he had issue. She died in October 1598.[1] He married, secondly (contract dated 22 May 1599[2]), Elizabeth Durie, sister of Robert Durie of that Ilk, and daughter of David Durie, by whom also he had issue. She was still alive in April 1653.[3] His children were :—

(1) *James*, who married (contract 14 March 1612[4]) Margaret Kinninmonth, daughter of Andrew Kinninmonth of that Ilk, or Craighall, by his second wife Cecilia Wemyss, daughter of David Wemyss of that Ilk and sister of Sir James Wemyss of Bogie. He died before 12 July 1634,[5] leaving issue. His wife survived him.

i. Sir John, who succeeded his grandfather. See below.

ii. *David*, or Mr. David of Balfarg, referred to in writs of 1672 and others, as brother of Sir John Wemyss of Bogie.[6] In September 1653 he obtained the office of Sheriff of Fife.[7] He is said to have married Mary, daughter of David Wemyss of Fingask, and had issue :—

(i) James, who succeeded his uncle Sir John in Bogie.

(ii) *Ludovick*, said to be drowned at sea with his only child.[8]

(iii) —— a daughter.

iii. *Elizabeth*, married (contract 7 September 1641) to Alexander Orrok of that Ilk.[9]

(2) *David* or *Mr. David*, named with his brother *Henry* in a bond of provision by their father Sir James Wemyss of Bogie, of date 11 October 1622. They were sons of Elizabeth Durie.[10] He died before 1653, leaving issue by his wife Margaret Orrock, two sons and two daughters, *James*, baptized 1 January 1641 ;[11] *John*, baptized 23 October 1646,[12] *Elizabeth*, baptized 1 June 1642 ;[13] all three named in the will of their Aunt Janet Wemyss on 1 April 1653,[14] and another daughter *Janet*, baptized 25 June 1643.[15]

(3) *Henry*, named in above bond, who bought from his sister Janet, widow of John Lundie of Easter Conland, that property.[16] He had also Wester Bogie from his nephew Sir John. He died on 30 May 1654. He married, first (con-

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[1] Edin. Tests., 10 November 1599. [2] Inventory of Bogie Writs, Gen. Reg. Ho. [3] St. Andrews Tests., 12 July 1654. [4] Inventory of Bogie Writs. [5] *Reg. Mag. Sig.*, at date. [6] Inventory of Writs. [7] Lamont's *Diary*, 59. [8] So Douglas's *Baronage*, but he may be placed in wrong generation. [9] Inventory of Bogie Writs. [10] *Ibid.* [11] Kinghorn Reg. [12] *Ibid.* [13] *Ibid.* [14] St. Andrews Tests., 12 July 1654. [15] Kinghorn Reg. [16] Lamont's *Diary*, 55.

tract 26 November 1639), Isabel, daughter of Sir John Kirkcaldy of Grange, by whom he had one daughter. He married, secondly (contract 9 April 1653), Margaret, daughter of Robert Durie of East Newton and Margaret Durie his wife, but by her, who survived him, had no issue. His daughter Margaret, who was married, on 28 October 1658,[1] to Mr. John Paterson, afterwards Bishop of Edinburgh and Archbishop of Glasgow, gave up, on 11 May 1683, an inventory of her father's effects, narrating his marriage-contracts, and styling herself his only lawful daughter and child.[2]

(4) *Mr. George* Wemyss, Principal of St. Leonard's College, St. Andrews, appears as son of Sir James Wemyss of Bogie and Margaret Durie in various writs, beginning 15 January 1631.[3] He was admitted Provost of the Old College there on 1 November 1664.[4] He married Magdalene Lundie, with whom he had a charter of Wester Pitcaple on 1 March 1648.[5] She died 4 March 1666.[6]

(5) *Ludovick Wemyss*, Doctor of Divinity, is named on 20 August 1631 in connection with an assignation by Sir James Wemyss of Bogie, his father. He is also referred to in a writ of 6 October 1658, where his son *James* is named.[7]

(6) *Andrew* Wemyss of Glennistoun is named, in 1653, as a brother of Janet Wemyss, referred to below. He was then dead, having died in 1649. He had a daughter *Elizabeth* named in her aunt's will, and an inventory of his effects was given up on 4 January 1673 by James Wemyss of Glennistoun, perhaps his son.[8] Another son, name unknown, a student at St. Andrews, was drowned in June 1666, while bathing at the Witchhill, St. Andrews.[9]

(7) *James*, named as a witness to the baptism of James, son of Mr. David his brother on 1 January 1641.[10]

(8) *Elizabeth*, married, first (contract 4 February 1628), to John Boswell of Pittedy;[11] secondly (contract 16 August 1638), to James Arnot of Wester Fernie.[12]

(9) *Janet*, married (contract 31 December 1630) to John Lundie, son of Robert Lundie of Balgonie.[13] He was Laird of Easter Conland, in Abbotshall Parish, and died in April 1641.[14] She sold Easter Conland to her brother Henry,[15] a short time before her death. She made her will on 1 April 1653, and in it she names her brothers James, Mr. David, and Andrew with their children, and appointed her nephew Sir John Wemyss of Bogie her executor.[16] She died on 20 April 1653[17] without issue.

Sir John Wemyss of Bogie succeeded his father as fiar of the lands before 12 July 1634, when he had a Crown charter

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[1] Lamont's *Diary*, 109. [2] St. Andrews Tests., 26 July 1654 and 11 May 1683. These facts somewhat discount the reasons of the assumption of the baronetcy in 1821. [3] Inventory of Bogie Writs. [4] Lamont's *Diary*, 174. [5] *Reg. Mag. Sig.* [6] Lamont's *Diary*, 185. [7] Inventory of Bogie Writs. [8] St. Andrews Tests., 12 July 1654; 4 January 1573. [9] Lamont's *Diary*, 190. [10] Kinghorn Reg. [11] *Gen. Reg. Sasines*, xlvi. 499. [12] *Ibid.*, xlvii. 345. [13] Inventory of Bogie Writs. [14] St. Andrews Tests., 16 June 1641. [15] Lamont's *Diary*, 55. [16] St. Andrews Tests., 12 July 1654. [17] Lamont's *Diary*, 55.

of the lands of Bogie and others, resigned in his favour by Sir James Wemyss, his grandfather. He succeeded the latter about 1640, and died between 1672 and February 1679.[1] He married, first, contract dated at Edinburgh, Collessie, Bogie, and Bennochie, 5, 6, 10, and 11 August 1635,[2] Elizabeth Aytoun, said to be daughter of Sir John Aytoun of that Ilk; secondly, 20 August 1675,[3] Margaret Johnston, daughter of Sir Archibald Johnston of Wariston, without issue. She survived him, and married, secondly, Benjamin Bressey, issue one daughter, Margaret Bressey. Lady Bogie died before 16 August 1707.[4] Sir John was succeeded by his nephew,

James Wemyss of Bogie, son of Mr. David Wemyss of Balfarg, succeeded sometime between 1672 and 1679. He greatly encumbered his family estate. For various services he was created a Baronet on 12 October 1704, with remainder to 'his heirs-male.'[5] He married, on 11 January 1670, Anna, second daughter of Sir John Aytoun of that Ilk and Elizabeth, fourth daughter of John, first Earl of Wemyss. They and their heirs-male were included in the entail of the Wemyss estates in 1671.[6] They had issue:—

i. Sir John Wemyss, second Baronet.

ii. *Mr. Thomas*, advocate 21 January 1697, contracted, on 24 February 1700, with consent of his father and elder brother, to marry Christian Main, only daughter of the late Mr. David Main, writer, by his wife Grisel Weir.[7] The marriage took place shortly after.[8] He married, secondly, Annabella Maxwell, who survived him. He died 3 March 1716.[9] He had issue by his first wife a daughter *Grisel*, and by his second wife *James*, *Elizabeth*, *Anna*, *Annabell*, *Mary* and '*Thomas*,' married, 29 March 1741, to William Aytoun, goldsmith, Edinburgh.[10]

iii. *David*, named in his brother's marriage-contract as third son. He was a merchant burgess of Edinburgh, and married, 3 June 1702, Katherine, daughter of John Baillie, chirurgeon burgess there, said to be a second son of Baillie of Hardington.[11]

iv. *Margaret*, said to have married, first, John Bethune of Blebo, and secondly, Philip Hamilton of Kilbrackmont.[12]

Sir John Wemyss, who succeeded, married Anne, daughter of Sir William Lockhart, advocate, and had issue. Lady Wemyss survived and died 20 June 1766.

i. Sir James.

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[1] He was alive on 7 December 1672, but dead before February 1679, when an inventory was made of his writs. [2] Inventory of Bogie Writs. [3] Edin. Reg. of Marriages. [4] Edin. Tests., at date; *Johnston of Wariston's Diary*, Scot. Hist. Society, vol. 26, 11. [5] *Reg. Mag. Sig.*, lib. 82, No. 23. [6] Lamont's *Diary*, 216; *Wemyss Book*, i. 290. [7] *Reg. of Deeds*, M'Ken., vol. 101, 11 July 1707. [8] Edin. Marriage Register. [9] Edin. Tests., 27 December 1716. [10] Edin. Marriage Register. [11] *Ibid.*; Douglas's *Baronage*, 562. [12] *Ibid.*

ii. *George*, merchant, Edinburgh, brother to Sir James Wemyss, and partner with John Hope, died 17 December 1747.[1]

iii. *Barbara*, married to Sir Henry Seton, third Baronet of Abercorn, and had issue, now represented by Sir Bruce Maxwell Seton, Bart. of Abercorn.

SIR JAMES WEMYSS, succeeded, being the only surviving son of his father. Of him little is known. He died unmarried.

3. *Mr. Andrew* Wemyss, who had, on 3 January 1576-77, a charter of the halflands of Newton, Markinch, co. Fife. He was dead in 1585, and may have been that son of David Wemyss who is said to have died on his way to France before May 1583. He had no issue, and his next brother, Patrick, was his heir.[2]
4. *Patrick* Wemyss of Rumgay, ancestor of the family of Wemyss of Rumgay, afterwards of Craighall, Fifeshire. He died in 1625, having married Elizabeth Sandilands, who predeceased him on 2 February 1606.
5. *David* Wemyss, ancestor of the family of Wemyss of Fingask, in the parish of Dairsie, Fife.
6. *Henry* Wemyss, who had on 25 August 1587 from his father a liferent charter of the shadow half of Wester Dron in full of his portion-natural. He was the ancestor of the family of Wemyss of Foodie, parish of Dairsie, Fife. He died in August 1652.
7. *Margaret*, married, as his second wife (contract 5 April 1578) to James Beaton of Creich, whom she survived, dying at Dunbog in September 1636, leaving issue.
8. *Jean*, married (contract dated 18 April 1578) to James M'Gill of Rankeillor, with a tocher of 3000 merks. (*See title* Oxfuird.)
9. *Cecilia*, married, first, in 1585, to Andrew Kinninmonth of that Ilk, having a tocher of 4000 merks. After his death she married William Learmonth of Clatto.
10. *Elizabeth*, contracted, on 9 June 1587, to be married to James, eldest son and heir of James Colville of Easter Wemyss, and failing him, to his next younger brother, Robert, but the contract was never fulfilled. She married (contract dated 1 August 1597) Alexander Wood of Lamlethan.
11. *Isobel*, married (contract 10 December 1590) to John

[1] *Scots Mag.* [2] Inventory of Melville Charters.

Auchmoutie of that Ilk, called also of Easter Fernie. She became his widow before 11 October 1608. They had issue eight children.[1] In 1615 she was the wife of Stephen Orme.[2]

Sir John Wemyss of Wemyss, who succeeded, had already been placed in possession of the estates as fiar in 1585, his father resigning in his favour, and he received from King James VI. a new charter, adding certain lands and others to the former barony and changing the holding from ward and relief to blench farm.[3] He took a prominent part in his father's disputes with neighbouring lairds, and engaged in several of his own. About May 1594 he was created a Knight, and is first referred to as Sir John on the 9th of that month. He did not associate himself with any political party but maintained an unswerving loyalty to the King himself, who frequently commanded his services. When the King went to London, Sir John was one of those chosen to convoy the Queen and royal household to England. In 1610 he received a Commission as Admiral of the Forth from Dysart to the Water of Leven. He also held the office of bailie of that river, for regulating the fisheries.

In 1617 he attended Parliament as one of the Commissioners for Fife, and was created a burgess and guild brother of Edinburgh. He died between August 1620 and June 1622. He married (contract dated 17 April 1574) Margaret, daughter of William Douglas of Lochleven, afterwards sixth Earl of Morton, but by her had no issue. He married, secondly (contract dated in August 1581), Mary, daughter of Sir James Stewart of Doune, afterwards first Lord Doune.

By his second wife Sir John had issue:—

1. *David* Wemyss, the eldest son, in whose favour his father, in 1605, resigned all his lands, which were regranted to the son. In February 1608 he was contracted, and soon after married to Elizabeth Leslie, daughter of Andrew, Earl of Rothes (*see that title*), but he died a few months later in August 1608, without issue.
2. John, who succeeded his father.
3. *Cecilia*, married (contract dated 3 October 1599)

[1] *Gen. Reg. Inhibits.*, 33 f. 125, 29 November 1608. [2] *Ibid.*, 2nd ser., ix. 297. [3] *Reg. Mag. Sig.*, 10 May 1589.

to William Murray, second Earl of Tullibardine, with a tocher of £10,000 Scots. They had no issue.
4. *Janet*, married to Robert Colville of Cleish, afterwards first Lord Colville of Ochiltree, but died without issue in April 1655, having long suffered from ill-health.
5. *Isobel*, married (contract dated 29 October and 10 November 1614) to Hew Fraser, Master of Lovat (*see that title*), with a tocher of 10,000 merks. She died in 1636, leaving issue.
6. *Catherine*, married (contract dated 18 August 1624) to John, afterwards Sir John Haldane of Gleneagles, with a tocher of 10,000 merks, and had issue.

I. Sir John Wemyss of Wemyss, who succeeded, is first named in 1604, when he received a grant of the lands of Methil from his father, as a mark of affection to him as his second son, but in 1608 he became heir-apparent to the estates, and took a share in their administration. He was created a Knight before 25 June 1618, the earliest date at which he is so described, but the honour may have been conferred in 1617, when King James visited Scotland and made a progress through Fife. In 1625 he was drawn into the Nova Scotia scheme, and on 29 May 1625[1] King Charles I. bestowed upon him a Nova Scotia baronetcy with the so-called Barony and Regality of New Wemyss, or a tract of 16,000 acres in the territory of Nova Scotia.[2] He was, however, somewhat slow in assuming the honour, and on 24 March 1626 the King wrote to Sir John urging him to accept the dignity, assuring him it was but 'a stepp to a further title.' A few months later Sir John paid the 3000 merks required as the price, and was duly infeft at the outer gate of the Castle of Edinburgh on 3 October 1626.[3] But he never enjoyed his accession of territory, as the French claimed it, and with such success, that it was ceded to them in 1632. Meanwhile the 'further title' promised was bestowed upon Sir John on 1 April 1628, when a patent was granted to him creating him a Lord of Parliament as LORD WEMYSS OF ELCHO.[4] The patent having, on 23 April 1628, been approved by the Scots Privy Council, was

[1] *Reg. Mag. Sig.*, at date. [2] *Ibid.* [3] *Wemyss Book*, ii. 314, 315. [4] *Reg. Mag. Sig.*, at date.

then presented to the new Peer in due form.[1] From this time he took much part in public life, and was one of the most prominent men in the politics of the period.

When King Charles paid his first visit to Scotland in 1633 to be crowned, he recognised the services of Lord Wemyss by creating him, on 25 June 1633, EARL OF WEMYSS, LORD ELCHO AND METHIL, with remainder to his heirs-male, and the patent was delivered to him personally by the King on 4 July at Dunfermline.[2] The Earl served on various committees of Parliament, but in these he did not take a prominent part. In 1637, however, he threw himself with great energy into the popular movement against the introduction of the Service Book, but as this is a well-known period of Scottish history, details need not be given here. In 1641, he was appointed High Commissioner to the General Assembly of the Church of Scotland, in preference to the Earl of Southesk, as to which a writer of the day remarks, 'For what special respects Weems fell to be next I doe not know; however the modestie and the simplicitie of the man made him displeasing to none.'[3] Both in the General Assembly and in Parliament the Earl's abilities were recognised and frequently and successfully put to use.

He also added to his estates, purchasing among other lands, those of East Wemyss, which had formed part of the ancient territory of his family, and which he reacquired in 1630 from its then possessor, Lord Colville of Culross. Other estates or part of estates purchased about this time were Lochhead and Little Raith, the Grange of Elcho, the Maw and others. For these he paid in all 114,500 merks Scots. He was an enterprising coal owner and an extensive salt manufacturer. Nothing is on record as to his private life. He died at the age of sixty-three, at Wemyss, on 22 November 1649, and was buried at Wemyss kirk on 4 December following. He married (contract September 1609[4]) Jean Gray, eldest daughter of Patrick, Lord Gray, who died at East Wemyss on 17 August 1639. They had issue eight sons and eight daughters, of whom ten died young. The others were:—

1. DAVID, who succeeded as second Earl of Wemyss.
2. *Mary*, married (contract dated 13 and 15 July 1631)

[1] *Wemyss Book*, ii. 222. [2] *Ibid.*, 225. [3] Baillie's *Letters, etc.*, i. 359.
[4] Gray Charters.

to John, Lord Sinclair (*see that title*), with a tocher of £12,000 Scots, and died 1647, leaving issue. The present Earl of Rosslyn is her representative.

3. *Anna*, married (contract 30 December 1631), with a dowry of 16,000 merks, to Alexander Lindsay, son and heir-apparent of David Lindsay of Edzell, by whom she had issue. She married, secondly (contract 18 October 1639), as his second wife, Mungo, second Viscount of Stormont, who died without issue before 11 March 1642. She died at Wemyss on 20 September 1643.
4. *Jean*, married (contract dated 5 and 9 August 1633), with a tocher of 20,000 merks, to Sir Alexander Towers, younger of Garmilton and Inverleith, eldest son of Sir George Towers of Inverleith and Dame Jean Ker. Sir Alexander died between 1644 and 1648, leaving issue, and his widow married, secondly (contract 1 and 3 August 1649), with a second dowry of 24,000 merks, Colonel Harry Maule of Balmakellie second son of Patrick, Earl of Panmure, by whom also she had issue. She made her will on 1 August 1655, and may have died not long afterwards. She was certainly dead before 1662.[1]
5. *Elizabeth*, married (contract 15 April 1636), with a portion of 13,000 merks, to John Aytoun of that Ilk. They had issue, their second daughter, *Anna*, marrying, on 11 January 1670, James Wemyss, younger of Balfarg, a great-grandson of Sir James Wemyss of Bogie,[2] and her heirs-male were called in the entail of the Wemyss estates made in December 1671.
6. *Catherine*, married (contract 12 December 1654, and tocher 18,000 merks) to David Carnegie of Craig, co. Forfar, a grandson of David, first Earl of Southesk. He died about 1663, and she married, secondly, on 16 August 1664, Sir Andrew Ker of Greenhead, who died in May 1665. She died on 24 February 1668 at Dysart, and was buried there. She had no issue.

II. DAVID, second Earl of Wemyss, who succeeded, was born on 6 September 1610. On gaining his majority in

[1] Cf. *ante*, vol. vii. 21; *Wemyss Book*, ii. 241, 242. [2] See *ante*, p. 496.

1631 his father resigned the greater part of his estates in his favour and paid his debts, previous to the year 1635. He had already on his father's creation as Earl assumed the courtesy title of Lord Elcho, and as such he figures largely in the chief events of the stirring time which followed. He took an active part with his father in supporting the Covenanting party, and in 1639 he was in their army which marched under Montrose against Huntly. In 1640 when the Scottish army crossed the Tweed, Elcho was the colonel of a regiment of infantry recruited from Fife. They were in England for about a year, and the regiment was then disbanded. But later another regiment was raised, and with it he saw some service, but shared in the defeat of the Covenanting army at Tippermuir on 1 September 1644. After this he took a minor part in affairs, until 22 November 1649, when he became Earl of Wemyss. He took his seat and the oath as such on 7 March 1650. On 12 July the same year King Charles II., then recently landed in Scotland, was entertained by the Earl to dinner at Wemyss Castle, and repeated his visit on 13 February 1651, when he knighted two neighbouring Fifeshire lairds.

After the defeat at Worcester and the establishment of the Commonwealth in Scotland the Earl had a season of quiet, but after the restoration of King Charles II. he resumed his public duties, and continued to attend Parliament, by whom, in May 1662, he was deputed to bring in the bishops, who were received by Parliament with great ceremony. The Earl, however, in his later years occupied himself less with politics than with his private interests. He spent money largely on works to develop Methil harbour and the production of coal from his mines. He began the harbour in 1661, and though it was greatly destroyed by a severe storm in November 1662, it was opened for traffic before 15 September 1664. It cost him the large sum of £40,000 Scots, and his outlay on mines and salt works brought his expenditure to £100,000 Scots. He also made great alterations on Wemyss Castle, and promoted a good water-supply. These outlays involved him in debt, which was increased by his undertaking cautionaries for friends, who owed him 105,000 merks, beside other sums

due to him. He reduced the amount of indebtedness before his death, but then his debts exceeded his assets by about £70,000 Scots. He died after a brief illness at Wemyss Castle in July 1679, and was buried at East Wemyss.[1]

The second Earl of Wemyss married, first, on 4 February 1627, Anna Balfour, daughter of Robert, Lord Balfour of Burleigh, but their contract was not drawn up till 25 July 1628. She died at Wemyss 10 November 1649, and was buried at East Wemyss on 22 day of same month, having had eleven children, of whom only four survived her. The Earl married, secondly (contract dated 4 April 1650), Helenor Fleming, eldest daughter of John, Earl of Wigtown, who, however, died about two years later, on 20 April 1652, without issue. He married, thirdly, Margaret Leslie, second daughter of John, Earl of Rothes, widow successively of Alexander, Lord Balgonie, eldest son of the first Earl of Leven, and of Francis, second Earl of Buccleuch. The marriage to Wemyss took place on 13 January 1653 at 'Sheriffhall' or Old Newton kirk. She survived until February 1688, and was buried at East Wemyss.

The Earl's issue were:—

1. *John*, born 22 November 1627; died before 1636.
2. *David*, born 5 June 1632; died before 1649.
3. *John*, born 10 December 1636; died before 1646.
4. *Robert*, born 1 August 1639; died before 1649.
5. *John*, born 7 February 1646; survived his mother, but was dead before 1653.
6. *Alexander*, born 20 October 1647; survived his mother, but died before 1653.
7. *Jean*, born 19 June 1629; married, first, in 1649, as his second wife, to Archibald, Earl of Angus, eldest son of William, first Marquess of Douglas, who died 15 January 1655; secondly, on 11 August 1659, to George, Lord Strathnaver, afterwards fourteenth Earl of Sutherland. She died in January 1717. (*See titles* Angus and Sutherland.)
8. *Margaret*, born 24 September 1630; predeceased her mother after 17 May 1648.

[1] The Earl kept a very faithful diary, still preserved at Wemyss.

9. *Mary*, born 7 February 1638; died unmarried on 12 October 1654.
10. *Isabella*, born 14 February 1642; predeceased her mother.
11. *Anna*, born 20 September 1643: predeceased her mother.

The Earl had also issue by his third marriage:—

12. *John*, born 18 December 1653; died when two years old.
13. *David, Lord Elcho*, born 13 March 1655; died 28 September 1671, and buried 10 October at Wemyss church. The Laird of Brodie records that he was told 'that the bishop of St. Andrews cam with 500 hors to the burial of Elcho.'[1]
14. *Hew*, born 23 May 1656; died when three years old.
15. *John*, 'the secund Rothes godsone,' born 13 October 1657; also died at three years old.
16. Margaret, who succeeded her father as Countess of Wemyss.

III. Margaret, Countess of Wemyss, inherited the title and estates of Wemyss under peculiar circumstances. She was born on 1 January 1659, and had almost reached the age of thirteen when her father, on the death of his eldest surviving son in September 1671, despairing of having male heirs of his body, made up his mind to accept an offer of marriage from a kinsman of his own name, and to settle his estates on his daughter and her husband, to the exclusion of his own kin who did not bear the family name, for he was determined that a Wemyss must have all before any other name, for he would never put his house out of that ancient name for any other in the world.[2] The proposed suitor was Sir James Wemyss of Burntisland, and in the marriage-contract, dated 25 December 1671, the Earl became bound to resign his estates in favour of his daughter and her husband and the heirs-male of their marriage, whom failing, their daughters, successively without division. Failing these, the estates were to pass to the heirs-male of

[1] *Diary of the Laird of Brodie*, Spalding Club, 322. [2] *Wemyss Book*, iii. 112, 113.

the marriage of James Wemyss, younger of Balfarg, a great-grandson of Sir James Wemyss of Bogie[1] with Anne Aytoun, the Earl's niece. Other provisions were for maintenance of the new married couple and reserving the Earl's own rights.[2] The marriage followed shortly afterwards, and Sir James Wemyss was raised to the Peerage as Lord Burntisland. (*See that title.*) Lord and Lady Burntisland resided with her father and mother at Wemyss, and aided in freeing the Earl's estates from debt. While thus residing together they received a communication from Vienna, from a certain Francis, Baron de Wemyss, who claimed to be a descendant of the Caskieberran branch of the family. (*See title* Burntisland.) Sir James Wemyss was much interested in this discovery of a new kinsman, and for fifty years a correspondence was maintained between the two families.[3]

In July 1679 Lady Burntisland succeeded her father under the entail as Countess of Wemyss, and it was proposed to raise her husband to an equal rank, but he died before the signature was completed. Her claims to the dignity and estates were challenged by her only surviving sister Jean Wemyss, now Countess of Sutherland. She first petitioned in 1681, but the Lords of Session decided in favour of the Countess Margaret. In 1693 Lady Sutherland renewed her claim before Parliament, giving a long narrative of her side of the case, to which answers were made by Countess Margaret. The pleadings were considered by the Parliament, who, on 12 May 1695, remitted the case to be tried and decided by ordinary course of law.[4] But no further proceedings were taken in the matter. The remainder of the Countess's history is purely domestic, consisting chiefly of family arrangements with her son and provisions for the marriages of her daughters. She died on 11 March 1705 at Whitehall. She married first, as already stated, Sir James Wemyss of Burntisland on 28 March 1672, in the church of Wemyss. He died in December 1682. On 29 April 1700 she married, secondly, Sir George M'Kenzie, Viscount Tarbat, afterwards Earl of Cromartie, but had no issue by

[1] Cf. p. 496, *supra*. [2] *Wemyss Book*, i. 290. [3] *Ibid.*, 303, 304; iii. 257-286.
[4] *Acta Parl. Scot.*, ix. 72, 79; Supplementary Papers, xiv. No. 22.

him. (*See title* Cromartie.) Her children by Lord Burntisland were:—

1. David, who became third Earl of Wemyss.
2. *John*, baptized 14 October 1680; died in infancy.
3. *Anna*, born 18 October 1675, married (contract dated 3 September 1691) to David, Earl of Leven, second son of George, first Earl of Melville, and had issue.
4. *Margaret*, born 1 April 1677; married (contract 29 January 1697) to David, Earl of Northesk, and died 29 March 1763, leaving issue.
5. *Catherine*, baptized 15 December 1682; died young.

IV. David, third Earl of Wemyss, baptized 29 April 1678, succeeded his mother in 1705, bearing in the interim the courtesy title of Lord Elcho. He had an attack of smallpox (a very frequent malady in those days) in 1691 at Wemyss Castle. In 1695 he went to Bath and London, and at the latter place was taught to ride, fence, and dance. In 1697, at his marriage, Countess Margaret resigned the Wemyss estates in his favour, with a reservation of Elcho and certain other lands. He then endeavoured to develop his estates by promoting the manufacture of glass and coal. His efforts in the first direction were unsuccessful, but in regard to the coal he was more fortunate. In 1703 he was admitted an ensign in the Royal Company of Archers, and it was through the offices of his stepfather, the Earl of Cromartie, that the Archers received, in 1704, their charter of incorporation. In 1713 he was made lieutenant-general of the Company, and in 1715 he was elected captain-general, and under him the Company lost none of its brilliancy and prestige. He retained command until his death.

After his accession as Earl in 1705 he was appointed one of the Commissioners for the Union of Scotland and England, and he supported the movement throughout, and appears to have done so disinterestedly, as his name is not found in the list of those who were paid for their votes. He was one of the first sixteen Peers elected to represent the Scottish Peerage at Westminster. On 7 March 1706 he was appointed Lord High Admiral of Scotland and the

Isles (except Orkney and Shetland), but this office was abolished at the Union, and he was appointed Vice-Admiral of Scotland, and the salary raised to £1000 sterling yearly. Between 1707 and 1711 the Earl resided in London, having bought a house in Soho Square, which he considered 'one of the greatest pennyworths ever I see.' In 1711 he resigned all his estates into the hands of the Crown, including all those named in 1651, with the addition of Methil and Burntisland, all which were now comprehended in the barony of Wemyss. It was provided that, failing heirs-male of the Earl's first marriage, and also of the second, the estates and honours of the family should descend to the heirs of tailzie and provision contained in the charter of 1671, but only under the condition that the daughter or heir-female succeeding should marry a nobleman or gentleman of the surname of Wemyss, or, at least, who would assume the surname and bear the arms of Wemyss, and whose male issue succeeding should do the same, and that they should not dispone nor wadset any part of the estate, under the penalty of losing their right in favour of the next heir. This condition, however, was not to be imposed on the heirs-male.[1] The later years of the Earl's life were comparatively uneventful, and his end was comparatively sudden, as he died at Wemyss, after only a few days' illness, on 15 March 1720. He married, first (contract 13 August 1697), Anna Douglas, only daughter of William, first Duke of Queensberry, with a dowry of 100,000 merks. It was through this marriage that Francis, sixth Earl of Wemyss, succeeded in 1810 to the estates of Neidpath and others in Peeblesshire. (*See title* Queensberry.) Lady Elcho met a tragic fate only two years after her marriage. On 13 February 1700 her clothes caught fire, and she sustained such injuries that she died ten days later. The Earl married, secondly, about 1708, Mary Robinson, eldest daughter and coheiress of Sir John Robinson of Farmingwood, co. Northampton, Baronet. But though she had large estates, it was found at her death, which took place, without issue, before 8 September 1712, that her property was so burdened that no profit came to the Earl. He married, thirdly (contract 5 July 1716), Elizabeth, daughter of Henry, Lord

[1] *Reg. Mag. Sig.*, MS. vol. 85, No. 30.

Sinclair, with a tocher of 9000 merks. She survived her husband only a short time, dying in 1721.

The Earl had issue:—

1. *David*, Lord Elcho, born and baptized 3 October 1698. He died *v.p.* on 16 December 1715, in the eighteenth year of his age, unmarried.
2. James, who succeeded as fourth Earl of Wemyss.
3. *David*, by third marriage, who is named by his father in a writ of 10 March 1720, but apparently died young and unmarried, as no farther notice of him has been found.
4. *Elizabeth*, married (contract dated 17 April 1734) to William, sixteenth Earl of Sutherland, with a tocher of 28,000 merks. She died at Dunrobin Castle on 20 February 1747, leaving issue.
5. *Margaret*, married, on 24 April 1740, as his second wife, to James, ninth Earl of Moray. She died at Drylaw, near Edinburgh, on 31 August 1779, leaving issue.

V. James, fourth Earl of Wemyss, born on 30 August 1699, was the second of two sons born to David, third Earl of Wemyss, and Anna Douglas, his first wife. He was an infant at his mother's death, and he and his elder brother Lord Elcho were taken charge of by their aunt Anna, Countess of Leven, being later under the tuition of Andrew Ramsay, known as Chevalier Ramsay, author of the *Travels of Cyrus*. Lord Elcho died in 1715, and James succeeded to him then, and to the earldom in March 1720. In 1714 he became a member of the Royal Company of Archers, and was on 21 July 1724 appointed a brigadier, being promoted on 1 July 1726 to be lieutenant- and on 24 September 1743 to be captain-general. He was the first to win the silver bowl, the shooting for which was instituted in 1720. The Earl did not take much interest in politics, but took an active part in overseeing and developing his coal-mining and salt manufacturing interests. During the later years of his life he was much troubled with money matters, not because of impecuniosity but owing to the wayward conduct of his Countess, and also to his eldest son having joined the rebellion of 1745 and the consequent forfeiture of the provisions made for him. The Earl was com-

pelled to make a new entail of his estates, settling them upon himself, then upon his third son James and his heirs-male, whom failing, to the second son of his own second son, Mr. Francis Wemyss Charteris, afterwards fifth Earl of Wemyss, and other heirs as stated in his formal resignation dated 31 July 1750.[1] The Earl at this period lived chiefly at Norton, co. Durham, though he visited Wemyss at intervals. He died at Norton on 21 March 1756, and his remains were conveyed thence to Wemyss and buried at the church there on Thursday, 8 April.

The Earl married, on 17 September 1720, under romantic circumstances, Janet, only daughter and heiress of Colonel Francis Charteris of Amisfield or Newmills, in the county of Haddington, whom he carried off from a number of rivals, and married in opposition to her father's wishes.[2] The Earl and Countess remained together until 1730, but after the death of Colonel Charteris in that year they drifted apart, and could never again be reconciled to each other. She survived her husband until 1 March 1778, when she died in her house at Taplow, co. Buckingham. They had issue:—

1. *David, Lord Elcho*, born on 30 July 1721. He travelled on the Continent for some time, returning to Scotland in 1741. His father settled a provision on him, but in 1745 he joined Prince Charles Edward, and was made colonel of one of his troops of Horse Guards. He took an active part in the rebellion, marched with the Prince into England, was present at Culloden, and escaped into France. His estates were forfeited, and he continued to reside abroad, in France and Switzerland, and died in Paris on 29 April 1787. He wrote a Journal of the Rebellion, which is preserved at Wemyss Castle, where there is also a full-length portrait of him.[3]
2. Francis, who succeeded as fifth Earl of Wemyss.
3. *James*, born 23 February 1726; entered the Royal Navy in 1741 and served in various ships, but retired not long after his father's death. Under the entail of 1750, already cited, he succeeded to the ancient

[1] *Wemyss Book*, i. 356, 357. [2] The particulars are narrated in the *Memorials of the Family of Wemyss*, i. 347, 348. [3] It was published in 1907 by David Douglas, Edinburgh.

estate of Wemyss, except the Elcho estates which were made over to his elder brother Francis. He thus became the ancestor of the present family of Wemyss of Wemyss. He died at Edinburgh 10 May 1786. He married, on 29 August 1757, at Dysart, Elizabeth, only daughter of William, sixteenth Earl of Sutherland. She survived him, dying at Edinburgh 24 January 1803, and was buried in the Chapel Royal of Holyrood on the 27 of same month. They had issue:—

(1) *James*, born 8 October 1758, died, of measles, 16 November 1770.
(2) WILLIAM, who succeeded.
(3) *David*, born 29 March 1761, entered the Hon. East India Company's Service; was for some time a prisoner of Hyder Ali and Tippoo Sultan; liberated in 1783, but died at Madura, unmarried, before July 1784.
(4) *Francis*, born 1 April 1767; entered the Army, and, in 1792, was made a captain in the 16th Regiment, then in Jamaica, where he died, 4 January 1793, unmarried.
(5) *Charles*, born 2 June 1768; entered the Navy and served in various vessels. He was on board the *Royal George* when that ship foundered at Spithead 29 August 1782, but was saved. He died at London 5 June 1802, unmarried,
(6) *James, secundus*, born 4 May 1778; entered the Bengal Civil Service in 1796, and was private secretary to Viscount Lake, Commander-in-chief. He died on 22 August 1849, having married Caroline Charlotte, fifth daughter of the Rev. Henry Binfield, M.A., Vicar of Albrighton, Salop, who survived him till 30 January 1863. They had issue.[1]
(7) *Elizabeth Margaret*, born 11 December 1769; married, at Drummore, on 16 August 1793, to Alexander Brodie of Arnhall, M.P. for Elgin. She died 19 July 1800, leaving one child, *Elizabeth*, born 20 June 1794, married to George, fifth Duke of Gordon, without issue. (*See title* Huntly.)
(8) *Catherine*, born 8 July 1785; appears to have died unmarried.

WILLIAM WEMYSS of that Ilk, who succeeded, was born 9 April 1760; he entered the Army as an ensign in the Coldstream Guards in 1777, but in 1779 he was appointed colonel of a new regiment of Sutherland Fencibles, and again in 1793. In 1798 the regiment aided in suppressing the Irish Rebellion and Colonel Wemyss was made major-general. In 1799 the regiment was recruited on an Army footing and was gazetted as the 93rd. As such it has had a splendid reputation. General Wemyss died on 4 February 1822. He married, on 16 September 1788, at Edinburgh, Frances Erskine, eldest daughter of Sir William Erskine of Torrie, Bart. She predeceased him on 1 February 1798. They had issue:—

[1] Full particulars of their descendants are given in the *Wemyss Book*, i. 376-379.

i. JAMES ERSKINE, who succeeded.

ii. *William*, born 5 September 1790; entered the Army and saw active service in the Peninsular campaign. He was made lieutenant-general on 11 November 1851. He was held in high esteem by Queen Victoria and Prince Albert, and was appointed by the latter his clerk-marshal with the control of his extensive equestrian and agricultural establishments. He died on 30 November 1852 at Cumberland Lodge, Windsor. He married, 14 April 1820, Isabella Hay, second daughter of William, seventeenth Earl of Erroll, who survived him till 28 July 1868. They had issue two sons, who both died unmarried, and a daughter, *Isabella Harriet Jane*, married to Count Reventlow Criminil, with issue.

iii. *Francis*, born 21 September 1791; became a lieutenant in the Royal Navy; died unmarried.

iv. *Charles*, born 23 May 1796; also in the Royal Navy; died unmarried.

v. *Frances*, born on 16 September 1794; married, 10 October 1826, to General James Alexander St. Clair, third Earl of Rosslyn; died 30 September 1858, leaving issue, now represented by the present Earl of Rosslyn.

JAMES ERSKINE WEMYSS of Wemyss, born 9 July 1789; entered the Royal Navy and saw much active service between 1801 and 1814, when he retired; he was advanced to be rear-admiral on 21 June 1850. He took much interest in politics and was M.P. for Fife, with a short interval, from 1820 to 1847. He died at Wemyss Castle 3 April 1854. He married (contract 7 August 1826) Emma, fifth daughter of William, seventeenth Earl of Erroll. (*See that title.*) She died 17 July 1841. They had issue:—

i. JAMES HAY, who succeeded.

ii. *Edward Pellew*, born 15 July 1834; died 7 September 1848, aged fourteen.

iii. *Frances Henrietta*, born 27 April 1827; died 14 December 1877; having married Captain Charles James Balfour, R.N., with issue.

iv. *Alicia*, and v., another daughter, who both died in childhood.

JAMES HAY ERSKINE WEMYSS of Wemyss, born at Wemyss Castle 27 August 1829. He entered the Navy in 1841, but ill-health compelled him to give up his chosen profession in 1848. He succeeded in 1854, and in 1859 was elected M.P. for Fife. In 1864 he was appointed lord-lieutenant of the county, but died shortly after, on 29 March 1864, in London. He married, on 17 April 1855, Augusta Millicent Anne Mary Kennedy Erskine, youngest daughter of Mr. John Kennedy Erskine of Dun, co. Forfar. She survived her husband until 11 February 1895. They had issue:—

i. RANDOLPH, who succeeded.

ii. *Hugo*, born 31 May 1861.

iii. *Rosslyn*, born 12 April 1864; married, 21 December 1903, Victoria, only daughter of the late Sir Robert Morier, and has issue.

iv. *Dora Mina Kittina*, born 6 February 1856; married, on 21 April 1887, to Henry George Grosvenor, third son of Hugh, first Duke of Westminster: died 24 December 1894, leaving issue.

v. *Mary Frances*, born 30 June 1857; married, on 28 February 1882, to Cecil Stratford Paget, son of General Lord George Paget, K.C.B., and has issue.

Randolph Gordon Erskine Wemyss of Wemyss, born on 11 July 1858, was only six at his father's death, came of age in 1879, and devoted himself largely to erecting a new harbour at Methil and other improvements on his estates. He died 17 July 1908. He married, first, 18 July 1884, Lilian Mary Paulet, only daughter of John, fourteenth Marquess of Winchester, who divorced him in 1898. He married, secondly, 23 November 1898, Eva Cecilia, daughter of William, second Earl Cowley. He had issue by first marriage:—

i. Michael John.

ii. *Mary Millicent*, born 15 May 1885.

Michael John Erskine Wemyss of Wemyss, born 8 March 1888.

The fourth Earl of Wemyss had also four daughters:—

4. *Frances*, born 7 November 1722; married, at Dunrobin Castle on 14 October 1743, to Sir James Stewart Denholm of Coltness and Westshiel, Baronet, whom she survived, dying at Coltness 29 June 1789, leaving issue.

5. *Walpole*, born 1 December 1724; married, at Edinburgh 17 January 1754, to M. Louis de Chastel, Sieur de la Barthe, and died at Toulouse in 1755, without issue.

6. *Anne*, born 30 October 1727; married, as his first wife (contract 25 April 1746), to John Hamilton of Bargany, Ayrshire, brother of Sir Hew Dalrymple of North Berwick, and died without issue.[1]

7. *Helen*, born 11 April 1729, married, at Bargany 25 April 1754, to Hugh Dalrymple of Fordel. He died without issue, 11 December 1784, survived by her until 1 October 1812.

VI. Francis, *de jure* fifth Earl of Wemyss, was the second son of his father, born 21 October 1723, and under the will of his maternal grandfather Colonel Francis

[1] See *ante*, p. 131.

Charteris of Amisfield, succeeded to the latter's extensive estates, including the manors of Hornby and Cockran and others in the county of Lancaster; Prestonpatrick and Holm, in the county of Westmoreland, and assumed the surname of Charteris in addition to Wemyss. He nearly lost his life at the age of thirteen in a childish frolic. In 1736, after the riot known as the Porteous Mob, the young members of the family of Wemyss one day amused themselves by enacting the principal scene of the outbreak, and choosing Francis to represent the part of Porteous, they actually hanged the boy, but he fortunately was rescued in time.[1] He was educated at Eton, which he left in 1739, and afterwards travelled abroad, returning to Scotland in 1744. His father died in 1756, but the title of Earl of Wemyss remained dormant in the person of the forfeited Lord Elcho until 29 April 1787, when it devolved upon Mr. Charteris, who in 1771 had obtained an Act of Parliament enabling him and his heirs to retain the name and to bear the arms of Charteris, and to hold the estates, notwithstanding the descent to him or them of the honour and title of Wemyss or any other honour and title whatsoever. But though he assumed the title on Lord Elcho's death, he was never officially recognised as Earl of Wemyss. as the title was still affected by the forfeiture of 1746. He added considerably to his estates in co. Haddington, and built the house of Amisfield and his fine seat of Gosford. He died at Gosford, in his eighty-fifth year on 24 August 1808, and was buried there in a mausoleum erected by himself. He married, on 12 September 1745, Catherine, sixth daughter of Alexander, second Duke of Gordon, and by her, who died at Edinburgh 21 January 1786, had issue:—

1. Francis, Lord Elcho.
2. *Henrietta*, born 5 September 1747, who died unmarried.
3. *Catherine*, died, unmarried, at Edinburgh 24 February 1812.
4. *Janet*, died unmarried.
5. *Frances*, married, at Edinburgh 29 April 1799, to the Rev. William Trail, D.D., Chancellor of the diocese

[1] *Traditions of Edinburgh*, by Robert Chambers, ii. 204.

of Down and Connor, who died in 1831. She died 1 April 1848.

6. *Anne*, died, unmarried, 29 July 1793.

Francis, styled Lord Elcho, was born at Edinburgh 31 January 1749. He was M.P. for the Haddington Burghs from 1780 to 1787, when he was deprived of his seat by a resolution of the House of Commons, as he had 'become the eldest son of a Peer of Scotland.' This was erroneous, as the title to which his father had nominally succeeded still lay under the ban of forfeiture, but he was obliged to retire into private life. He devoted himself to agriculture, and did much to improve his estates. He died after a long and painful illness at Amisfield House 20 January 1808, aged fifty-nine, thus predeceasing his father. He married, 18 July 1771, Susan Tracy Keek, second daughter of Anthony Tracy Keek of Great Tew, co. Oxford, by Susan, daughter of James, fourth Duke of Hamilton. (*See that title.*) She survived until 25 February 1835. They had issue:—

1. Francis, Earl of Wemyss.
2. *Henrietta Charlotte Elizabeth* Charteris, born 3 February 1773, married, 23 December 1797, to George Harry, Lord Grey, afterwards sixth Earl of Stamford, and died 30 January 1839, leaving issue.
3. *Susan* Charteris, married, 23 November 1799, to Lieut.-General Sir Henry Clinton, G.C.B., and died in 1816.
4. *Katharine* Charteris, married, 19 November 1805, to Edward Richard Stewart, seventh son of the seventh Earl of Galloway (*see that title*), and died 8 October 1863, leaving issue.
5. *Augusta* Charteris, married, as his second wife, on 3 June 1819, to Warner William, second Lord Rossmore, and died 28 July 1840.

VII. Francis Wemyss Charteris, only son of the preceding, succeeded his grandfather in the estates 24 August 1808. He was born 15 April 1772, entered the Army, and was aide-de-camp to his grand-uncle Lord Adam Gordon, Commander of the Forces in Scotland, from 1793 to 1797, when he retired from the Army. After the death of his

father he assumed the title of Lord Elcho, and on succeeding to his grandfather he assumed the title of Earl of Wemyss, but on account of his uncle's forfeiture these titles were not recognised by the Crown. On 23 December 1810, by the death of William, fourth Duke of Queensberry, he, as heir of his great-great-grandmother, Anna Douglas, wife of David, third Earl of Wemyss, and only daughter of William, first Duke of Queensberry (*see that title*), inherited the castle and barony of Neidpath and other large estates in Peeblesshire. He also laid claim to the titles of Earl of March and others conferred on William Douglas, second son of the first Duke of Queensberry, but his claim was not recognised. He was, however, on 17 July 1821, raised to the dignity of a Baron of the United Kingdom as BARON WEMYSS OF WEMYSS, co. Fife, and on 26 May 1826 he was restored from the effects of the attainder of 1746, and so became Earl of Wemyss, with the other titles held by his predecessors. He died at Gosford House 28 June 1853, in his eighty-first year. He married, on 31 August 1794, at Edinburgh, Margaret, fourth daughter of Walter Campbell of Shawfield, by his first wife Eleanor, daughter of Robert Kerr of Newfield, eldest son of Charles Kerr, second son of Robert, first Marquess of Lothian. She died at Gosford 25 January 1850. They had issue :—

1. FRANCIS, who became Earl of Wemyss.
2. *Walter*, born 26 May 1797, died 8 August 1818.
3. *Eleanor*, born 7 July 1796; married, 14 January 1820, to Walter Frederick Campbell of Shawfield, M.P. for Argyllshire, and died 16 September 1832, leaving issue.
4. *Susan*, born 11 March 1799.
5. *Margaret*, born 8 February 1800, married, December 1824, to Colonel John Wildman, brother of Colonel Wildman of Newstead Abbey, and died in 1825.
6. *Katharine*, born 20 August 1801, married, 20 December 1824, to George Harry, Lord Grey of Groby, her cousin, son of the sixth Earl of Stamford, who died 24 October 1835. She died 4 January 1844, leaving issue.
7. *Charlotte*, married, 7 September 1825, to Andrew Fletcher of Saltoun, who died 9 April 1879. She died 3 March 1886, leaving issue.
8. *Louisa Antoinetta*, married, 14 August 1832, to

William Forbes of Callendar, and died 2 July 1845, leaving issue.

9. *Harriet*, married, 3 September 1829, Sir George Grant Suttie, of Balgonie, Bart., and died 30 May 1858, leaving issue.
10. *Jane*, born in 1811, married, 30 October 1858, to Lieut.-Colonel Philip Dundas, who died 15 December 1870. She died 26 August 1897.
11. *Caroline*, born 12 January 1816, died 2 September 1891.

VIII. Francis Wemyss Charteris Douglas, who succeeded, was born 14 August 1795. He became Earl on 28 June 1853. He held the office of Lord-Lieutenant of Peeblesshire from 1853 to 1880, and he was Lieut.-General of the Royal Archers (Queen's Body-Guard for Scotland) till his death, which took place at Gosford House on 1 January 1883. He married, 22 August 1817, at the British Embassy, Paris, Louisa Bingham, fourth daughter of Richard, second Earl of Lucan, and by her, who was born 1 March 1798, and died 16 April 1882, had issue:—

1. Francis, who succeeded as Earl of Wemyss.
2. *Richard Charteris*, of Cahir Lodge, co. Tipperary; born 25 July 1822; was lieut.-colonel Scots Guards. Died 16 March 1874, having married, 2 August 1858, Margaret, only surviving daughter and heiress of Richard Butler, second and last Earl of Glengall. They had issue.
3. *George*, born 18 June 1826, died in infancy.
4. *Walter*, killed at Balaclava 25 October 1854. Captain 92nd Highlanders.
5. *Frederick William*, born 28 February 1833, entered the Navy, and rose to the rank of captain. He died 10 October 1887. He married, 30 November 1864, Louisa Keppel (born May 1836), second daughter of George, sixth Earl of Albemarle, and had issue.
5. *Margaret*, born 21 December 1824, died June 1836.
7. *Anne*, born 29 July 1829, married, 18 February 1852, to George, fourth Earl of Warwick, who died 2 December 1893, leaving issue. She died 16 August 1903.
8. *Louisa*, born 28 September 1830, married, 7 December

1854, to William Wells of Holmwood, Huntingdonshire, who died May 1889.

IX. FRANCIS WEMYSS CHARTERIS DOUGLAS, born 4 August 1818; educated at Eton and Oxford. Was M.P. for East Gloucester from 1841 to 1846, and for the county of Haddington 1847 to 1884. His interest in the Volunteer movement is well known, and he was from 1859 to 1879, lieut.-colonel of the London Scottish Rifles, and afterwards hon. colonel. He also held the rank of ensign-general, now captain, in the Royal Company of Archers. He succeeded his father as Earl on 1 January 1883. He married, first, 29 August 1843, Anne Frederica Anson, second daughter of Thomas, first Earl of Lichfield, who died 22 July 1896; secondly, in December 1900, Grace, daughter of Major Blackburn. By his first wife he had issue:—

1. *Francis*, born 11 November 1844, died, unmarried, 22 July 1870.
2. *Arthur*, born 30 August 1846, died 1847.
3. *Alfred Walter*, lieutenant 71st Foot, born 2 June 1847, died at sea 24 November 1873, from the effects of fever contracted while on the staff of Sir Garnet Wolseley in the Ashantee War.
4. HUGO RICHARD, Lord Elcho, born 25 August 1857, sat in Parliament for the county of Haddington 1883-85, for Ipswich 1886-95; married, 9 August 1883, Mary Constance, daughter of the Hon. Percy Scawen Wyndham, and has issue:—

   (1) *Hugo Francis*, born 28 December 1884.
   (2) *Guy Laurence*, born 23 May 1886.
   (3) *Colin Charteris*, born 1 June 1889, died 27 December 1892.
   (4) *Ivo Alan*, born 6 December 1896.
   (5) *Cynthia Mary Evelyn*, born 27 September 1887, married, 28 July 1910, to Herbert, second son of the Right Hon. Herbert H. Asquith.
   (6) *Mary*, born 24 October 1895.
   (7) *Irene Corona*, born 31 May 1902.

5. *Alan Dudley*, born 19 March 1860; died, unmarried, 9 January 1901.
6. *Evan Edward Charteris*, barrister-at-law, born 29 January 1864.
7. *Evelyn*, born 29 August 1849, married 4 June 1872, to

John, fourth Viscount de Vesci, who died 6 July 1903, leaving issue.

8. *Lilian Harriet*, born 17 October 1851, married, first, 27 November 1872, to Sir Henry C. Pelly of Upton, Bart., who died 4 June 1877; secondly, 31 July 1882, Sir Henry F. R. Yorks, K.C.B., of Hillrook Place, Bucks.
9. *Hilda*, born 13 October 1854, married, 4 December 1880, to the Right Hon. William St. John P. Brodrick, afterwards ninth Viscount Middleton, and died 1 August 1901, leaving issue.

Creation.—Lord Wemyss of Elcho, 1 April 1628; Earl of Wemyss in the county of Fife, and Lord Elcho and Methil, 25 June 1633; Earl of March, 20 April 1697.

Arms (recorded by David, Earl of Wemyss, about 1672).—Quarterly: 1st and 4th, or, a lion rampant gules, armed and langued azure, for *Macduff*; 2nd and 3rd, argent, a lion rampant sable, armed and langued azure, for *Glen.* These arms, however, were inherited under the entail of Wemyss by that branch of the family which succeeded to the patrimonial estate. Some time between 1748 and 1754 the following arms were recorded by the Hon. Francis Charteris of Amisfield, who afterwards became seventh Earl of Wemyss:—Argent, a fess azure within a double tressure flory counterflory gules: these arms without the tressure had been recorded for Charteris of Amisfield in 1672. The present Earl bears quarterly: 1st and 4th, Charteris as above; 2nd and 3rd, or, a lion rampant sable. But these arms have never been recorded.

Crest.—A swan proper.

Supporters.—Two swans proper.

Mottoes.—For Wemyss, *Je pense*; for Charteris, *This is our charter*; for March, *Forward.*

[J. A.]

FLEMING, EARL OF WIGTOWN

THE family of Fleming probably, as the name indicates, came from the Low Countries into Scotland through England, from which country they were banished in the twelfth century.[1] Chalmers states that Baldwin, a distinguished Flemish leader, settled at Biggar, in Lanarkshire, in the reign of Malcolm the Maiden, and identifies a certain Baldwin of Biggris, the King's Sheriff, with 'Baldwin Flamingus' or Baldwin the Fleming, who appears as a witness to a charter of Robert, Bishop of St. Andrews, *circa* 1150.[2] There seems to be no authority for this identification,[3] and it is possible the lands of Biggar only came to the Flemings at a later period through the marriage of one of them with Marjory or Ada, daughters and heirs-portioners of Sir Nicolas of Biggar, Sheriff of Lanark, and his wife Mary. Sir Nicolas died before 1292, when the ward and marriage of his daughters was granted by Edward I. to Robert, Bishop of Glasgow.[4]

There is no evidence that the first four members of the pedigree given by Sir Robert Douglas, viz. Baldwin, Waldeve his son, William, and Sir Malcolm, were ancestors of the family of Biggar, and the references given by him

1 *Caledonia*, i. 600. 2 *Reg. Glasguen.*, i. 13. 3 *Orig. Par.*, i. 134.
4 *Rotuli Scotiæ*, i. 14.

to Sir Malcolm last mentioned apply undoubtedly to a later person of that name.

The first progenitor from whom it is possible to trace the descent was:—

Robert Fleming, one of the leading men of Scotland, to whom Edward I. wrote in 1290 about settling the succession of the crown upon the death of Margaret, and who proposed the marriage of the said Margaret, the Maid of Norway, to Prince Edward of England at Brigham on 12 March 1289-90.[1] He afterwards swore fealty to Edward I., but soon repenting, he joined Robert Bruce in his efforts to secure the crown and restore the liberties of Scotland.[2] He was with Bruce in the town of Dumfries on 10 February 1305-6, when, in the church of the convent of the Minorite Friars, he stabbed Sir John Comyn. Fleming then entered the church with Kirkpatrick and others and despatched the wounded man. Cutting off his head, it is said, and returning to Bruce, who inquired if Comyn were dead, he produced the same with the remark, 'Let the deid shaw,' which was thereafter borne by the family for their motto. As a reward for his services he received from the King a charter of the lands of Lenzie and Cumbernauld in Dumbartonshire which had been forfeited by John Comyn, Earl of Buchan.[3] He died before 1314, leaving two sons:—

1. Malcolm, his heir.
2. Sir Patrick of Biggar, aftermentioned.

Sir Malcolm Fleming of Fulwood and Cumbernauld, the eldest son, had a charter from King Robert Bruce of the barony of Kirkintilloch, which was held by the late Sir John Cumyng, for a knight's service,[4] and another of the lands of Achyndonan, in Lennox, which had been resigned by Malcolm of Drummond,[5] and of the lands of Poltoun in Wigtownshire.[6] He witnessed a charter by Walter, the High Steward, of the church of Largs to the monks of Paisley in 1316,[7] and was Sheriff of Dumbarton and Gover-

[1] *Acta Parl. Scot.*, i. 441; *Fœdera*, ii. 471. [2] Dalrymple's *Annals*, ii. 3. [3] Sutherland Additional Case, chap. iv. 50. [4] Robertson's *Index*, 8.80. [5] *Reg. Mag. Sig.*, fol. vol. 16, No. 81. [6] Robertson's *Index*, 13.96. [7] *Cart. of Paisley*, 237.

nor of the castle thereof. He had from Walter, the High Steward, a grant of an annuity of £13, 6s. 8d. payable to him by the abbot and convent of Holyroodhouse out of the barony and lands of Kerse, in the county of Stirling, dated the feast of St. Dunstan, 19 May 1321.[1] In 1329 a payment was made to him for the marriage of his son,[2] and his accounts as Steward of the King's house[3] and as Sheriff of Dumbarton[4] are dated at Newbattle 16 January 1329-30. He was in the second division of the Scottish army at the battle of Halidon Hill on 19 July 1333, but was one of the few who escaped. He proceeded to the castle of Dumbarton and resolutely defended the same, making it a refuge not only for King David and his Queen, but for their followers.[5] He had a safe-conduct from Edward III. to come into England on the King's business on 20 November 1333.[6] He also found means in May 1334 to convey the King and Queen to France for greater safety. The King having returned to Scotland on 4 May 1341, granted a charter to him, on 9 November following, of the lands of Farynes and Rinnys and all the burgh of Wigtown and the royal lands in the sheriffdom thereof, together with the title of EARL OF WIGTOWN to him and the heirs-male of his body.[7] The King further bestowed on him a grant of regality, with power to judge in the four pleas of the Crown. He, as Earl of Wigtown, granted an annualrent of 100 shillings, payable from the lands of Carse and Bulschalach in Kyleregis to the friars preachers of St. Katherine of Ayr, for the benefit of his soul and the souls of his parents,[8] and a further charter of six merks annually for support of one friar officiating as priest in the chapel of the said friars on 6 July 1344. His seal, which is attached thereto, bears a chevron within a double tressure.[9] He was Governor of the castle of Dumbarton at a yearly salary of one hundred merks in 1342.[10] On 18 June 1342 he had a charter of the lands of Kerdones (Cardoness), in Galloway, from King David II. in excambion for the lands of Mochrum

[1] Charter-chest of the earldom of Wigtown, Scot. Record Soc., 824. [2] *Exch. Rolls*, i. 216. [3] *Ibid.*, 248. [4] *Ibid.*, 257. [5] Dalrymple's *Annals*, ii. 185, 186. [6] *Cal. of Docs.*, iii. 1099, 1100. [7] Charter-chest, 3; Mar Peerage Case, Minutes, 36; Robertson's *Index*, 34.3. [8] *Arch. Coll. Wigtown and Galloway*, xi. 6. The date there given, 3 May 1336, must, however, be wrong, as he was not created Earl till 1341. [9] *Ibid.*, 8, 9. [10] *Exch. Rolls*, i. 508.

which the King had formerly given him,[1] and three other charters from said monarch of the lands of Lenzie, Kilmaronock, and the barony of Dalliell in free warren, the lands of Rinnes of Wigtown, and the lands of Sithboger in the barony of Lenzie forfeited by Thomas Balcasky.[2] He was taken prisoner at the Battle of Durham on 17 October 1346,[3] and was committed to Robert Bertram, Sheriff of Northumberland to keep in safe custody in the castle of Newcastle until he should be transferred to the Tower of London,[4] but he had made good his escape before 2 May 1347, on which date a warrant for Bertram's arrest was issued for his contempt in allowing Malcolm to escape from his custody.[5] He sat in Parliament at Edinburgh 26 September 1357, when commissioners were appointed to conclude the treaty for the ransom of David II. which was accordingly done at Berwick 3 October 1357,[6] and his seal is thereto appended. He granted the lands of Kyllinsith in Dumbartonshire to Robert de la Vall,[7] and the lands of Hallys and Letbernard in Edinburghshire to Robert Dumbarton, Clerk of Register.[8] To the monastery of Newbattle he, about 1346, made a donation for the benefit of his soul, which is witnessed by Duncan and Walter Flemings.[9] He had a charter of the five-merk lands of Carmnole and Knoclucbirvan.[10] He married a lady whose Christian name was Marjorie, to whom cloth and furs were given by the King in 1329.[11] Malcolm Fleming, the King's esquire, and Marjorie his wife, the King's nurse, were allowed to receive absolution from their confessor at the hour of death, on 8 Ides of November 1343,[12] and there is a note of a charter[13] of lands in the sheriffdom of Dumfries to Malcolm Wallayis, said to be resigned by Marjorie Fleming, Countess of Wigtown, foster-sister to King David II., but this was probably her daughter Marjory. They had issue:—

1. —— a son, whose name has not been ascertained, who died before 1357, leaving a son,
   (1) Thomas, who became second Earl of Wigtown.
2. —— a daughter, who was married to Sir John Danielston

[1] Charter-chest, 226, transumpt in Reg. House. [2] Robertson's *Index*, 30.6. [3] Dalrymple's *Annals*, ii. 265, 267. [4] *Cal. of Docs.*, iii. 1482, 1488. [5] *Ibid.*, 1495. [6] *Acta Parl. Scot.*, i. 516; *Fœdera*, v. 43. [7] *Reg. Mag. Sig.*, folio vol. 22, No. 12. [8] Robertson's *Index*, 61.31. [9] *Reg. de Neubottle*, 230, 231. [10] Robertson's *Index*, 35.15. [11] *Exch. Rolls*, i. 398. [12] Papal Petitions, 27. [13] Robertson's *Index*, 50.2.

of that Ilk. He had a charter from Sir Malcolm Fleming of the island of Inchcailloch, in Loch Lomond, and the lands of Kilmaronock.[1]

3. *Marjory*, who was married to William of Fawsyde. They had a charter of the mill of Tollygart, called Lyndmill, part of the Crown lands of Clackmannan, on 18 October 1364.[2]
4. *Evota*, who was married, probably in 1342, when she returned from Court, to John of Ramsay. The King bestowed the thanage of Tannadyce on them before 1359.[3]

Thomas Fleming, second Earl of Wigtown, as grandson of the Earl of Wigtown was a hostage for King David II. when he was permitted to visit his dominions on 4 September 1351, and the heir of the Earl of Wigtown was one of the hostages named in the treaty for the liberation of His Majesty on 13 July 1354, and as such was in the custody of the Sheriff of Northumberland on 10 November 1358.[4] From King David he had a charter, dated at Perth 26 January 1366-67, of the earldom of Wigtown, which the late Malcolm his grandfather had held, but which for certain causes had remained in suspension, probably due to the influence of Archibald Douglas, Earl of Galloway, who resented the erection of a new regality within the bounds of his territory.[5] To Douglas he sold his whole rights in the earldom for £500, by deed dated at Edinburgh 8 or 16 February 1371-72,[6] on account of the disorders and troubles between him and the inhabitants, which transaction was confirmed by Act of Parliament 7 October 1372.[7] In this manner he became not only divested of the lands but also of the earldom, for on 20 April 1372 the King granted a charter to Sir James of Lyndsay, Knight, of the lands of the lordship of Wigtown, except the barony of Carnysmul, which were held by the late Sir Malcolm Fleming, Knight, and were afterwards inherited by Thomas Fleming, grandson of the said late Malcolm, and which the said Thomas had resigned 19 April 1372.[8] It will be

[1] Robertson's *Index*, 30.10. [2] *Reg. Mag. Sig.*, fol. vol. 38, No. 98. [3] *Exch. Rolls*, i. 509, 589. [4] *Fœdera*, v. 724, 792; *Acta Parl. Scot.*, i. 519. [5] *Reg. Mag. Sig.*, fol. vol. 51, No. 154; Charter-chest, 30; Mar Peerage Case, Minutes of Evidence, 333. [6] Charter-chest, 7 and 30. [7] *Acta Parl. Scot.*, i. 560; Mar Peerage Case, Minutes of Evidence, 334. [8] *Reg. Mag. Sig.*, folio vol. 120, No. 5.

observed that in this charter Thomas is no longer designed Earl of Wigtown, thereby affording a convincing proof that the title of honour was inseparably connected with the territory, and that Thomas having divested himself of the estate thenceforth ceased to enjoy the dignity.[1] Further, on 20 June 1374,[2] Robert III. confirmed letters of impignoration by Thomas Fleming of Foulwood 'dudum' Earl of Wigtown to William Boyd of all the lands of the said Thomas within the barony of Lenzie for £80 sterling, dated at Foulwood the Tuesday next after the feast of St. James the Apostle, 11 November 1372.[3] He had previously, on 12 August 1371, granted an annuity to the said William Boyd of twelve merks sterling annually, payable half-yearly, in which grant he is designed Thomas Fleming, Earl of Wigtown, but in the confirmation under the Great Seal, 24 February 1373-74,[4] Thomas Fleming 'dudum' Earl of Wigtown. He granted a charter to Gilbert Kennedy, Knight, of the town and lands of Kirkintulloch, which was confirmed by the Crown on 13 May 1375.[5] Having no issue he resigned the barony of Leygny or Lenzie in Dumbartonshire in favour of his cousin Malcolm Fleming of Biggar, which was confirmed by King Robert II. on 20 September 1382.[6] The said Sir Malcolm was the son of

Sir Patrick Fleming of Biggar, second son of Robert Fleming of Cumbernauld.[7] He is stated[8] to have married one of the two daughters and coheiresses of Sir Simon Fraser of Olivercastle in Peeblesshire, Sheriff of that county, who was executed by Edward I. On account of this alliance the family thereafter quartered Fraser on their arms. He was father of

Sir Malcolm Fleming, who had a charter from King David of the lands of Lenzie which had been forfeited by John Kennedy 11 January 1357.[9] From his cousin Malcolm, Earl of Wigtown, he had a grant of the lands of Achmoir, Seymoir, and others 18 April 1357,[10] and another

[1] Sutherland Peerage Additional Case, iv. 53. [2] Charter-chest, 8. [3] *Reg. Mag. Sig.*, fol. vol. 104, No. 50. [4] *Ibid.*, 109, No. 65; Mar Peerage Case, Minutes of Evidence, 335. [5] Robertson's *Index*, 115.39. [6] *Reg. Mag. Sig.*, fol. vol. 165, No. 24. [7] See page 520. [8] *Caledonia*, ii. 922. [9] Charter-chest, 5. [10] *Ibid.*, 4.

charter to him and Christian his wife, under the Great Seal, of the lands of Lenzie, forfeited by John Kennedy 6 April 1361.[1] He was Sheriff of Dumbarton and keeper of that castle, in which capacity payments were made to him for repairs and munitions there in 1364 and 1367, and of £40 as his fee as keeper in 1365 and 1366.[2]

From William Boyd he had an assignation to him and Christian his spouse of the impignoration which Thomas Fleming of Foulwood, formerly Earl of Wigtown, had made to him of the barony of Lenzie for £80 sterling, dated at Cumbernauld the feast of St. Martin 1372.[3] He had a charter of a tenement in Crawmond resigned by Marjorie Fleming 16 January 1380-81,[4] and another charter by King Robert II. of the barony of Lenzie resigned by Thomas Fleming 20 September 1382.[5] As Sheriff of Edinburgh he received boards for the repair of the Castle of Edinburgh in 1374.[6] He had issue:—

1. Sir David, his heir.
2. *Patrick*, who, as second son of Malcolm Fleming, Lord of Biggar, had a charter on 17 April 1369 from Robert of Erskine, Knight, of all his lands in the barony of Leygnch, viz. the lands of Bord, Tweoures, Croy, Smithston, Balloch, and Ardrie in excambion for the lands of Dalnotrie and Garscadden, in the earldom of Lennox, 17 April 1369,[7] which was confirmed under the Great Seal 24 August 1373.[8] He had a charter from his father of all his lands in the barony of Olivercastle, to wit his lands of Overmenzean and Glenrusco in Peeblesshire, on 7 November 1395,[9] which was confirmed under the Great Seal 22 June 1397.[10] He had issue:—

    (1) James of Bord, who renounced to his cousin Malcolm Fleming of Biggar all his right in the lands of Overmenzean and Glenrusco on 3 November 1421,[11] and he remitted to the said Malcolm Fleming and his accomplices having art and part in the decease of the said Patrick Fleming, his father, all rancour he had conceived against him by reason of the said death.[12] He had issue:—

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[1] Charter-chest, 6. [2] *Exch. Rolls*, ii. 124, 295. [3] Charter-chest, 9, 195, 221, 259. [4] Robertson's *Index*, 121.77. [5] *Ibid.*, 124.24; Charter-chest, 11. [6] *Exch. Rolls*, ii. 462. [7] Charter-chest, 245. [8] *Ibid.*, 246; *Reg. Mag. Sig.*, fol. vol. 108, No. 64. [9] Charter-chest, 400. [10] *Ibid.*, 401. [11] *Ibid.*, 248. [12] *Ibid.*, 406.

i. *William Fleming* of Bord, who had a charter from his cousin Robert, Lord Fleming, as son and apparent heir of his father, of the lands of Overmenzean in Peeblesshire, on his father's resignation.[1] There was an action before the Lords Auditors against him as heir of his father at the instance of Mr. John Fleming, prebendary, for payment of £160, on 20 March 1478,[2] and on 3 January 1502-3 he had a charter from John, Lord Fleming of the lands of Nether Auchinreoch in the barony of Auchtermony in excambion for those of Menzean, in the barony of Olivercastle.[3] He married, first, a lady whose name is unknown, and, secondly, before 1 June 1493, Euphame, daughter of James, Lord Livingstone, and relict of Malcolm Fleming of Monycabock.[4] He had issue by first marriage:—

(i) George, his heir.
(ii) *Janet*, who brought an action before the Commissary of Glasgow in 1502.[5]
(iii) *Margaret*, married to George Home of Broxmouth.[6]

George Fleming of Bord had a charter as son and heir from his father of the lands of Bord in which he was seised 15 January 1503-4.[7] He married Elizabeth, daughter to Malcolm Fleming of Monycabock, eldest son to Robert, first Lord Fleming. His father, William Fleming, brought an action against Robert, Lord Fleming for withholding seven score and ten pounds Scots owing to him, part of 300 merks promised to be paid by said Lord to William for marriage completed by George Fleming, son and heir to William, and Elizabeth, daughter to Malcolm Fleming, son and heir to Robert, Lord Fleming, in which action the Lords of Council decerned against Lord Fleming for payment of 160 merks in part payment on 25 February 1489.[8] He had issue

James Fleming of Bord, who had a precept of clare constat as grandchild and heir of William Fleming of Bord, from John, Lord Fleming, on 30 April 1506,[9] and as son of deceased George, and heir of William Fleming his grandfather he had, on 21 July 1513,[10] a discharge under the signet of all unlaws due by his father. He had issue

William Fleming of Bord, called great-grandson to William Fleming of Bord in an instrument, of date 4 November 1535,[11] by George Colquhoun, who judicially confessed that he had given to William

[1] Charter, undated, Charter-chest, 411. [2] *Acta Aud.*, 84. [3] Charter-chest, 57, 253. [4] *Acta Dom. Conc.*, 233, 262; *Acta Aud.*, 169, 170. [5] Charter-chest, 255. [6] *Ibid.*, 260. [7] *Ibid.*, 256. [8] *Acta Dom. Conc.*, 126. [9] Charter-chest, 286. [10] *Ibid.*, 287. [11] *Ibid.*, 277.

Fleming, senior, a reversion of the lands of Smythfield for the sum of 120 merks. He married Agnes Livingstone of Manerstoun, for which marriage a dispensation was granted by John Thornton, apostolic protonotary in 1536, they being in the fourth degree of consanguinity.[1] They had issue

William Fleming of Bord, who had a precept of clare constat from James, Lord Fleming, as heir of William, his father, on 7 March 1549.[2] He married Janet Crichton, who, as his relict, assigned her liferent lands and terce to John, Lord Fleming, 17 November 1593.[3] He was succeeded by his brother

James Fleming of Bord, who, as brother-german and heir to William Fleming of Bord, had a precept of clare constat from Barbara, Lady Fleming, of the lands of Nether Auchinreoch on 2 April 1571.[4]

John Fleming of Bord gave sasine on 12 October 1574 to John Fleming of Ballach,[5] and had a letter of reversion from John Stark, son of William Stark, of the lands of Nether Auchinreoch on 3 November 1576, and again on 10 January 1578-79.[6]

Agnes of Bord had a service, 27 October 1597, as daughter and heir of the deceased John Fleming of Bord, and a precept of clare constat from John, Lord Fleming, of the lands of Bord, Croy, and others, on 30 January 1597-98,[7] and with consent of John Lindsay, younger of Covington her apparent husband, resigned the said lands of Bord to John, Lord Fleming, on 1 February 1597-98.[8] She had 8000 merks as tocher on her marriage.[9]

Robert Fleming of the Borde matriculated arms in the Lyon Register 6 July 1757 as descended from Patrick Fleming of Bord, second son to Malcolm, Lord Fleming.

Sir David Fleming[10] was probably that beloved and faithful 'bachellarius' David Fleming to whom King David II., on 27 October 1362, granted certain annualrents.[11] From King Robert III. he had a charter on 14 March 1390-91 of £50 of annualrent due to the King by the Abbot and convent of the monastery of Holyroodhouse,

[1] Charter-chest, 76. [2] *Ibid.*, 282. [3] *Ibid.*, 291. [4] *Ibid.*, 285. [5] *Ibid.*, 288. [6] *Ibid.*, 289-290. [7] *Ibid.*, 292. [8] *Ibid.*, 159. [9] Discharge for same to John, Lord Fleming, 13 November 1602, registered Books of Council and Session same day. Charter-chest, 330. [10] *Exch. Rolls*, i. 545, 593, 594. [11] *Reg. Mag. Sig.*, fol. vol. 33.

payable from the lands of Kerse in Stirlingshire;[1] of the lands of Auchloun, which had been granted to him by Thomas of Lask and John of Futhes, son of Allan of Futhes, on 12 August 1392, which charter was confirmed by Euphemia, Countess of Ross, on 1 October following, and thereafter under the Great Seal on 1 May 1401;[2] and of the lands of Barbethe, Caslis, Galnethe, and Glentall, in parish of Straiton, Ayrshire, 24 August 1404.[3] To the Abbey of Holyrood he, as son and heir of Sir Malcolm Fleming of Biggar, granted an annualrent of £10, payable from the barony of Kerse, on 20 October 1392,[4] which was confirmed by King Robert III. on 7 March 1392-93.[5] He was Deputy of the Chamberlain, and as such received various payments in 1399.[6] On 10 May 1399 he had a charter under the Great Seal of the lands of Cambusbarron and Blairegis in Stirlingshire, which had been resigned by Hugh of Aldiston and William of Aldiston, his son, on 10 May 1399;[7] of the chapels of Kirkintilloch and the lands of Drumtablay, with the mill thereof, in Dumbartonshire;[8] of the lands of Woodland and Meiklegall in the barony of Monycabock in Aberdeenshire;[9] and of the lands of Cavers and office of sheriffship of Roxburgh, which had fallen into the hands of the Crown by reason of recognition, by disposition of Isabell, Countess of Mar, to Archibald, Earl of Douglas, on 10 August 1405[10] without the licence of the King. He mortified the lands of Drumtablay, with the pertinents and the mill thereof lying in the barony of Lenzie, to Almighty God, the Blessed Virgin, and to the Chapel of the Blessed Virgin in Kirkintilloch, for the salvation of his own soul and the souls of his parents, his wife, and others, which deed was confirmed by charter under the Great Seal on 17 August 1399.[11] He further mortified, with consent of Malcolm his son and heir, the lands of Mureton for the welfare of the souls of Malcolm and Christian, his progenitors and himself, and Isabella his wife, to the Monastery of Cambuskenneth, on 8 November 1399,[12] and certain annual-

[1] Charter-chest, 826; *Reg. Mag. Sig.*, fol. vol. 200; *Holyrood Charters*, 223. [2] Charter-chest, 403, 847; Robertson's *Index*, 140.26. [3] *Ibid.*, 142.72. [4] *Holyrood Charters*, 107, 108. [5] *Ibid.*, 226. [6] *Exch. Rolls*, iii. 470. [7] Charter-chest, 402; Robertson's *Index*, 143.97. [8] *Ibid.*, 146.49. [9] *Ibid.*, 148.25. [10] *Ibid.*, 148.26; Charter-chest, 19. [11] Charter-chest, 12 and 13; *Reg. Episc. Glasg.*, 296. [12] *Cart. of Cambuskenneth*, 274.

rents to the canons of Holyrood Abbey where he directed his burial to be, for pious purposes, among which may be mentioned the repairing of St. Nicholas's altar and the erection of glass windows with his arms thereon. This grant is dated 25 November 1399.[1] He was Auditor of Accounts in Exchequer in 1403,[2] and a Commissioner for a truce with the English 6 July 1404,[3] and he received two payments of £150 on account of two successive embassies to England to take the oath of the English king in 1405 and 1406.[4] On 24 August 1405 there was an indenture between him and Alexander Stewart, Earl of Mar, in reference to the lands of Cavers.[5] He attended James, Prince of Scotland, to the Bass in February 1405-6, and saw him safely on board the ship appointed to carry him to France; but on his return home he was attacked and killed at Longherdmanston, six miles out of Edinburgh, on the 14 of that month, by James Douglas of Balveny, afterwards seventh Earl of Douglas, at the instigation, it is said, of the victim's own grandson, Alexander Seton,[6] and was buried under the altar of St. Nicolas at Holyrood.[7] Of him Wyntoun says:—

'Schire Davy Flemyng of Cumbirnald
Lord, a Knight stout and bald
Trowit and luvit wel with the King:
This ilke gud and gentyl Knycht
That wes baith manful, lele and wycht.'

He married, first, Jean, only daughter of Sir David Barclay of Brechin,[8] and had issue:—

1. *Janet*, who married William of Seton, son of Alexander of Seton, and was the mother of Alexander Seton, afterwards Lord of Gordon.[9]
2. *Marion*, who married William Maule of Panmure,[10] who in her right claimed the barony of Brechin. They had a charter of the lands of Skryne and others confirmed by King Robert III. on 3 September 1380.[11]

[1] Charter-chest, 14; *Holyrood Charters*, 109-111, 226-227. [2] *Exch. Rolls*, iii. 564, 583. [3] *Cal. of Docs.*, iv. 660. [4] *Exch. Rolls*, iii. 615, 646. [5] *Antiq. of Aberd. and Banff*, iv. 172. [6] Fordun à Goodall, ii. 439. [7] *Exch. Rolls*, iii. xcv.; *Fœdera*, ii. 439; Wyntoun, ii. 412; Pinkerton, i. 31; *Caledonia*, ii. 99. [8] *Reg. de Panmure*, ii. 230. [9] *Ibid.*; *House of Seton*, 91; Charter-chest, 247; Macfarlane, *Gen. Coll.*, ii. 131. [10] *Reg. de Panmure*, ii. 230. [11] *Reg. Mag. Sig.*; *Reg. de Panmure*, ii. 178.

Sir David Fleming married, secondly, Isabel, heiress of Monycabock. She may have been the daughter of that Donald Strathechin and Annabel, his wife, who had a charter from King David II. of the barony of Monycabock and others, in Aberdeenshire, on 16 April 1343.[1] He had issue:—

3. Malcolm, his heir.
4. *David*, to whom, as son of Sir David Fleming of Biggar, his cousin James Fleming of Bord granted all right he had as heir of his father to the lands of Bord and Menzean on 26 January 1425-26,[2] and a bond that when he should recover the lands of Bord, Mynzean, and Monycabock he should infeft the said David in £10 worth of land there, dated 30 January 1425-26.[3] He had issue:—

(1) *Malcolm* of Boghall, who had a charter of the lands of Boghall and Haddockston, in Renfrewshire, on 15 June 1452 to him and Elizabeth of Houstoun, his wife.[4] He had issue:—

John, who had a precept of sasine from Chancery, as son and heir of his father, on which he was infeft 28 May 1490.[5] He died before 22 September 1497, when his estate was in ward of the King.[6] He married Marion Crawford; they had charters under the Great Seal of the lands of Easter Glen and others on 19 October 1490, and 11 April 1493.[7] He was probably the father of *James* and *William* next mentioned, and of *John*, who married Margaret Hamilton,[8] and was charged with rape on Margaret Stewart, daughter to Matthew, Earl of Lennox, 13 February 1508.[9]

James Fleming of Boghall, probably his son, who was elected by Lord Fleming and the parishioners of Biggar to be clerk of that parish, then vacant through the death of George Fleming, on 6 March 1509.[10] He was succeeded by

William Fleming of Boghall, probably his brother, who had sasine in these lands in January 1515-16.[11] He was a pledge to the Tweedies of Drumelzier in 1524 for Malcolm, Lord Fleming.[12] He married Elizabeth Brisbane; they had a charter of the lands of Nether Glen on his resignation on 4 August 1542,[13] and had issue:—

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[1] Robertson's *Index*, 48.34. [2] Charter-chest, 251. [3] *Ibid.*, 250; *Antiq. of Aberd. and Banff*, iii. 201. [4] *Reg. Mag. Sig.* [5] Dundonald Charter-chest, 173. [6] *Reg. Sec. Sig.*, i. 140. [7] *Reg. Mag. Sig.* [8] *Lord High Treasurer's Accounts*, x. 41. [9] Pitcairn's *Crim. Trials*, i. 60*. [10] Charter-chest, 444. [11] *Exch. Rolls*, xiv. 580. [12] Charter-chest, 463. [13] *Reg. Mag. Sig.*

a. JOHN, his heir.
b. *Thomas*, a witness on 15 January 1557-58.[1]
c. *Patrick.*
d. *Mariota*, who had a charter in her pure virginity from William Veitch of Dawick 6 June 1556.[2]

Mariota, natural daughter, who married at the Church of Calder, 1536, Robert Stirling of Ballenkeir. They had a dispensation 11 June 1536.[3]

John Fleming of Boghall, son and heir of William Fleming of Boghall, served heir to his father 16 September 1559; disponed the lands of Boghall, Milntoun, and Arretshole to John, Lord Fleming, and the heirs-male of his body; whom failing, William Fleming, Provost of Biggar, his (Boghall's) sister's son; whom failing, Patrick, his brother; whom failing, Malcolm, his brother's son; whom failing, William, his brother's son; whom failing, Malcolm, junior, his brother's son, on 28 February 1581, which was confirmed under the Great Seal 14 April 1582.[4]

SIR MALCOLM FLEMING of Biggar and Cumbernauld had a charter, as son and heir of David Fleming of Biggar, Knight, to him, and his heirs-male of his body, whom failing, to David, his brother, from King Robert III. of the castle and lands of Cumbernauld and others, reserving his liferent, on 7 March 1400-1;[5] another charter from the said monarch of the lands of Barbreck, in the earldom of Carrick, on 24 August 1404;[6] a charter from Robert, Duke of Albany, of the lands and barony of Biggar, and annualrents upliftable from the lands of Kerse pertaining to the Abbey of Holyroodhouse, in which he is called 'beloved son,' to him and Elizabeth Stewart, his wife, daughter to the said Governor, on 28 June 1413;[7] another charter from his said father-in-law of the lands of Torwood, in Stirlingshire, which had been resigned by William Lindsay of Byres.[8] He was a hostage for the return of King James I. when he was allowed to visit Scotland 31 May 1421, and as Malcolm, Lord of Biggar, he was nominated as a hostage for his majesty's release, by treaty on 4 December 1423, his

[1] *Reg. Mag. Sig.* [2] *Ibid.*, confirmed 16 June 1556. [3] Charter-chest, 74. [4] *Reg. Mag. Sig.* [5] Charter-chest, 15. [6] *Ibid.*, 18. [7] *Ibid.*, 404; Robertson's *Index*, 159.4. [8] Charter-chest, 229; Robertson's *Index*, 159.2.

annual rental being stated at 600 merks. He had a safe-conduct to come into England to meet King James 13 December 1423.[1] Accompanying William, Earl of Douglas, to the Castle of Edinburgh, he was, after a mock trial, along with the Earl and his brother, found guilty of treason, beheaded there 24 November 1440,[2] and his lands of Monycabok forfeited.[3] He married, before 28 June 1413,[4] Elizabeth Stewart, daughter of Robert, Duke of Albany. Governor of Scotland, and niece of King Robert III., and had issue:—

1. *Malcolm*, nominated as Malcolm Fleming, son and heir of Malcolm Fleming, Lord of Cumbernauld, a hostage for King James I. in place of Andrew Gray 9 November 1427,[5] and released 20 June 1432. He died *vitâ patris* without issue.
2. ROBERT, his heir.
3. *Margaret*, who married Patrick, Master of Gray, as appears from an obligation for her portion of 600 merks, dated 7 February 1439-40.[6] They had no issue.

I. SIR ROBERT FLEMING of Biggar and Cumbernauld, only surviving son, entered a protest, on 7 January 1440-41,[7] against the illegal and unwarrantable sentence of execution and forfeiture passed on his father, at the Cross of Linlithgow, which protest the Sheriff of Linlithgow refused to receive, and on 13 February 1440-41 a further protest before the Earl of Douglas, Justice-General besouth the Forth. King James II., on attaining minority, being convinced of the injustice of the sentence, issued precepts on 1 January 1441-42 for serving Sir Robert as heir of his father who was found by the inquest to have died at the faith and peace of his sovereign, and they accordingly served him on 30 January 1443-44,[8] and a precept was issued for infefting him in the lands of Biggar and patronage of the church and hospital which had been resigned by David, Lord Hay of Yester, dated 31 May 1446.[9] He had a safe-conduct to accompany Sir James Stewart, the Black Knight of Lorn, to England on 22

[1] *Cal. of Docs.*, iv. 942. [2] *Exch. Rolls*, v. lv. [3] *Ibid.*, 96. [4] *Ibid.*, iv. clxxxviii. [5] *Cal. of Docs.*, iv. 1011. [6] Gray *Inventory*, ii. 525. [7] Charter-chest, 23, 24. [8] *Ibid.*, 27. [9] *Ibid.*, 409.

November 1447.[1] He had charters under the Great Seal of the lands of Petkeny, Culwenny, and Balbardy, in the barony of Kinghorn, on the resignation of Patrick, Lord Glamis, on 6 June 1451; of the lands of Altermony in the earldom of Lennox, on the resignation of Alexander Lyon, son of Patrick, Lord Glamis, on 7 June 1451, and his town of Biggar was erected into a free burgh of barony, with a weekly market on Thursdays, on 31 March 1451.[2] He was created a Peer of Parliament as LORD FLEMING shortly after this, but the exact date is not known. As Robert, Lord Fleming, Master of the King's Household, he was an auditor of accounts in Exchequer 1 July 1454.[3] He entered into a bond of manrent with Gilbert, Lord Kennedy, and Sir Alexander Boyd, Knight, whereby they agreed to stand by each other in mutual defence for all the days of their life, against all men, excepting their allegiance to the King, dated 10 February 1465-66.[4] From King James III. he had a charter of the lands of Biggar and patronage of the church of Biggar and hospital thereof, which David Hay of Yester had resigned, in excambion for his lands of Olivercastle and others, in the sheriffdom of Peebles, dated 20 June 1470.[5] He was served heir special to his father in the lands of Biggar 22 February 1472-73,[6] and had a remission under the Great Seal by King James III. for depredations committed upon the Lord Hamilton and other crimes therein mentioned 12 July 1480.[7] He had a safe-conduct to come into England with twenty persons in his retinue on 2 November 1484.[8] He died in 1491.

He married, first, Janet Douglas, third daughter of James, seventh Earl of Douglas. To the church of St. Ninian of Kirkintilloch he granted ten merks of the lands of Auchinreivach, etc., for the *salubri statu et regimine* of the King and Queen and of Janet, his wife, on 23 July 1451.[9] He married, secondly, Margaret, daughter of John Lindsay of Covington; she resigned all her liferent rights given by her husband to her on 2 October 1480.[10] She had no issue.

Issue by first marriage:—

1. Malcolm, next mentioned.

[1] *Fœdera*, xi. 192. [2] *Reg. Mag. Sig.*; Charter-chest, 410. [3] *Exch. Rolls*, v. 609. [4] Charter-chest, 33. [5] *Ibid.*, 417. [6] *Ibid.*, 420. [7] *Ibid.*, 47. [8] *Fœdera*, xii. 251. [9] *Reg. Glasguen.*, 390. [10] Charter-chest, 428.

2. *Robert*, took an instrument in name of his father, brother and nephew against certain gentlemen who pretended a commission from Lord Kennedy to uplift rents of Cowshirway and other lands 25 May 1466.[1]
3. *Elizabeth*, married to James Livingstone, afterwards third Lord Livingstone, son to Alexander, Lord Livingstone, who, on 1 November 1472, declared on oath he would marry her.[2]
4. *Mariot*, married, in 1472, to Sir William Stirling of Keir.[3] She had a charter from him of the lands of Balquhomry, in the barony of Leslie, Fifeshire, on 1 March 1472-73.[4]

Malcolm Fleming of Monycabo, as eldest son and heir-apparent of Robert, Lord Fleming, was nominated a commissioner to negotiate a marriage between James, Prince of Scotland, and Cecilia, daughter of Edward IV. of England, 18 October 1474.[5] He died probably about 1477,[6] and certainly before 24 October 1480.[7] He married, before 2 April 1472,[8] Euphame, daughter of James, Lord Livingstone. She survived him and married, secondly, William Fleming of Bord.[9] On 1 June 1493 the Lords Auditors decreed that the Earl of Huntly should pay to William Fleming of the Bord and Euphame, his spouse, relict of Malcolm Fleming, sixteen merks for the mails and annualrent of the lands of Monycabo.[10] Malcolm Fleming had issue:—

1. *Sir David*, who had a charter, as son of the deceased Malcolm Fleming and grandson and heir of Robert, Lord Fleming, on his grandfather's resignation, of the lands and baronies of Lenzie, Cumbernauld, Biggar, Thankerton, Monycabo, part of Lour, and part of Dunbulls on 24 October 1480.[11] He died before 2 May 1482,[12] when his brother was served heir to him. He married, shortly before his death, Elizabeth, daughter of John, first Lord Drummond;[13] she married,

[1] Charter-chest, 414. [2] *Ibid.*, 44. [3] *Stirlings of Keir*, 26. [4] *Ibid.*, 23; Charter-chest, 243. [5] *Cal. of Docs.*, iv. 1417. [6] Stirling Protocols, 35. [7] *Reg. Mag. Sig.*; Charter-chest, 49. [8] Stirling Protocols, 10. [9] Charter-chest, 858. [10] *Acta Dom. Conc.*, 169, 170. [11] *Reg. Mag. Sig.*; Charter-chest, 49. [12] *Ibid.*, 790. [13] *Douglas Book*, ii. 125.

secondly, before March 1487-88, George Douglas, Master of Angus.[1]

2. JOHN, second Lord Fleming.
3. *Elizabeth*, married to George Fleming, son and heir-apparent of William Fleming of Bord. There was a decree of the Lords of Council on 25 February 1489-90 relative to her portion of 300 merks.[2]
4. *Isobel*, in whose favour a decreet was issued by Parliament on 6 December 1494 against John Tervait of that Ilk, for payment of 430 merks, because the said John refused to contract and complete solemnly in Holy Kirk marriage with her.[3]

II. JOHN, second Lord Fleming, was served heir to his brother Sir David Fleming in the lands of Dunbulls on 2 May 1482,[4] and in the lands of Auchtermony 20 March 1490.[5] He was one of the nobles who opposed James III., seized the young prince and proclaimed him King in 1488. He had a precept of clare constat from George Sinclair, Baron of Harbertshire, son and apparent heir of Sir Oliver Sinclair of Roslin, Knight, with consent of his said father, for infefting the said John as heir to his grandfather Robert, Lord Fleming, in the lands of Castlerankine, Seymores, Ballinkeir and others in the county of Stirling, on 31 March 1492.[6] By decreet dated 22 June 1492 the Lords of Council decerned that John Fleming, Knight, heir to the deceased David Fleming, and Malcolm Fleming his father, should warrant and keep to George, Earl of Huntly, the lands of Elrig and others in the barony of Monycabo.[7] He had a charter under the Great Seal, on his own resignation, to himself and Euphame Drummond his wife, of the lands of Thankerton in Lanarkshire on 5 May 1496,[8] was served heir to his brother Sir David in the baronies of Lenzie and Cumbernauld, on 18 April 1497,[9] and in Biggar on 26 April 1497,[10] and to his grandfather Lord Fleming, on a brieve from Chancery dated 30 June 1500, in the lands in which he had died last vest and seised.[11] He had a Crown charter of the barony

[1] *Douglas Book*, ii. 126 *n.* [2] *Acta Dom. Conc.*, 126. [3] *Acta Auditorum*, 191. [4] Charter-chest, 790. [5] *Ibid.*, 833. [6] *Ibid.*, 642. [7] *Antiq. of Aberd. and Banff*, i. 235; *Acta Dom. Conc.* [8] *Reg. Mag. Sig.* [9] Charter-chest, 53. [10] *Ibid.*, 438. [11] *Ibid.*, 55.

of Monycabo in Aberdeenshire on 8 May 1509,[1] was appointed Vice-Admiral of a fleet sent by James IV. under command of the Earl of Arran, to assist the French in 1511, which, as is well known, ended in failure. He had a commission under the Great Seal as ambassador to France, dated 5 December 1513, for receiving the sum of 100,000 francs French money from Louis XII., King of France, together with arms, and other warlike ammunition.[2] On his return home he received the appointment of Chamberlain of Scotland 21 January 1516-17,[3] and previously, on 26 October 1515, on the resignation of Margaret Stewart, his reputed wife, he had a charter from King James V. of the baronies of Biggar and Thankertoun.[4] On 7 March 1519 he had another commission under the Great Seal as ambassador to Francis I., King of France, for managing certain matters committed to him for the common good, and specially to desire that King to send home John, Duke of Albany, the King's tutor, to be Governor of the kingdom of Scotland,[5] in which mission he was so far successful, returning in the retinue of the Regent in November 1521.[6] By Parliament he was appointed one of the three noblemen to abide with the King, each for three months. He was assassinated while hawking on 1 November 1524 by John Tweedie of Drumelzier, James Tweedie his son, and others. He married, first, before 5 May 1496, Euphame, fifth daughter of David, Lord Drummond. She was poisoned with her two sisters after April 1502. He married, secondly, before 13 February 1508-9 Margaret Stewart, eldest daughter of Matthew, second Earl of Lennox; a charter under the Great Seal being granted on that date to her and the heirs to be procreated betwixt her and John, Lord Fleming, of the lands of Biggar and Thankertoun.[7] In 1508-9 John Fleming, son to Boghall, was denounced for rape on her.[8] She was thereafter divorced from her husband by the Archbishop of Glasgow, and a papal dispensation for their re-marriage granted on 17 December 1509, they being in the fourth degree of consanguinity and of affinity.[9] They

[1] *Reg. Mag. Sig.* [2] Charter-chest, 59. [3] *Reg. Sec. Sig.*, i. 2856. [4] Charter-chest, 453. [5] *Ibid.*, 63. [6] Pinkerton, ii. 222, 430. [7] *Reg. Mag. Sig.* [8] Pitcairn's *Criminal Trials*, i. 60*. [9] Diocesan Reg. of Glasgow, ii. 311.

were again divorced before 25 October 1515, on the ground that one James Lindsay, cousin-german to Lord Fleming, had known her before marriage.[1] She married, secondly, before 1 May 1528, Alexander Douglas of Mains. Lord Fleming married, thirdly, Agnes, daughter of Sir John Somerville of Cambusnethan, who, as his relict, had a charter under the Great Seal on 18 December 1526.[2] She married, secondly, before 29 January 1529-30, George, fourth Earl of Rothes.[3] Issue by first marriage:—

1. Malcolm, third Lord.
2. *Malcolm*, Prior of Whithorn, whose engagement to Catherine Fraser, Lady Frude, was the cause of the feud with the Tweedies of Drumelzier, which led to his father's murder before mentioned.[4] He granted a bond to his brother Malcolm, Lord Fleming, for 500 merks, for relief of his sister Margaret's tocher, on 3 February 1540.[5] He died before 30 March 1569, when his testament was confirmed.[6]
3. *James*, Page-of-honour to the King, had a charter, on 4 April 1532,[7] under the Great Seal, of the lands of Henderland, and Sunderland, which had been forfeited by William Cockburn.
4. *Margaret*, daughter by Agnes Somerville, married (contract dated 12 December 1540[8]) to John Cunningham of Glengarnock.[9]
5. —— a daughter, contracted to marry James Tweedie of Drumelzier in 1526.
6. —— a daughter, to whom the King gave £400 as tocher on 24 November 1529.[10]

III. Malcolm, third Lord Fleming, born about 1494, was present when his father was murdered by the Tweedies, and was carried off by them to the place of Drumelzier, where he was kept in confinement until he promised to convey to them the ward and marriage of Catherine Fraser, heiress of Frude, who had been contracted to his brother

[1] Charter-chest, 60. [2] *Reg. Mag. Sig.* [3] Macfarlane's *Gen. Coll.*, ii. 428. [4] Charter-chest, 464, instrument dated 25 November 1524, in which she calls Malcolm her husband. [5] Charter-chest, 85. [6] Edin. Tests. [7] *Reg. Mag. Sig.* [8] Charter-chest, 321. [9] *Reg. Mag. Sig.*, 16 March 1558-59; *Reg. of Deeds*, 222. [10] Pitcairn's *Criminal Trials*, i. 272*.

Malcolm, and marry her to James Tweedie, younger of Drumelzier. To obtain his liberty he consented to this, and Malcolm his brother, Robert Stewart of Minto, and William Fleming of Boghall entered ward in the Castle of Drumelzier as pledges for the fulfilment of the contract.[1] The feud was for a time terminated by an indenture of assythment dated 23 November 1524 between the parties, under which the Laird of Drumelzier and his friends came to the Cross of Peebles in their shirts only and offered their naked swords to the said Lord Fleming, his kin and friends, and engaged to be his servants, and to invest a chaplain to pray in the church of Biggar for the welfare of the soul of John, Lord Fleming.[2] Further, on 4 March 1530 a decreet arbitral was pronounced by the Lords of Council relative to an agreement made betwixt Lord Fleming and John and James Tweedie, elder and younger of Drumelzier, decerning that John Tweedie should found a chaplainry in the church of Biggar, and give the chaplain £40 yearly stipend from his lands, to pray for the soul of John, Lord Fleming; that James Tweedie younger of Drumelzier and all other persons guilty of the slaughter of Lord Fleming should quit Scotland within three months, and remain abroad for three years during the King's will. This decreet was confirmed under the Great Seal 22 March 1531-32.[3] Malcolm was served heir to his father in the lands of Castlerankine and others on 21 February 1524-25,[4] had charters from the Crown of the lands of Drumelzier, Hopcastle, and Hallmyre, in the county of Peebles, on 12 August 1525,[5] of Clifton in the county of Roxburgh on same date,[6] of Drumelzier and others in Peeblesshire, and Eliston in Roxburghshire, to him and Janet Stewart his wife on 28 October 1527,[7] of Urisland on 26 March 1531,[8] of the sheriffship of Tweeddale and Peebles from King James v. on 1 December 1531, and again on 21 February 1539-40,[9] of the lands of Cardrona on 8 May 1534,[10] which had been apprised from William Govan, of Rachan and Glencotho on charter from John Dickson of Ormiston 1 July 1534,[11] of Covintoun on

[1] Charter-chest, 463. [2] *Ibid.*, 466. [3] *Ibid.*, 478; *Reg. Mag. Sig.*, 16 Oct. and 2 Dec. 1531. [4] Charter-chest, 667. [5] *Reg. Mag. Sig.* [6] *Ibid.* [7] *Ibid.* [8] *Ibid.*, 16 October 1531. [9] Charter-chest, 457 and 517. [10] *Reg. Mag. Sig.*; Charter-chest, 491. [11] *Ibid.*, 494.

2 November 1534, confirming charter by John Lindsay, dated 22 October 1534,[1] of Kilbotho on 26 September 1535, confirming charter by James, Earl of Morton, dated 22 July 1535,[2] of an annualrent from the lands of Kerse of £50, and of the lands of Kingledoors 11 July 1537,[3] on his own resignation, a charter erecting his whole lands into five baronies, viz. (1) Auchtermony and Kerse, (2) Lenzie, the burgh of Kirkintilloch and Cumbernauld, (3) Boghall, (4) Thankertoun and Biggar, and (5) Mosfennan, including Over Menzean, Oliver Castle, Lour, Dunbullis, and Fresullis lands, on 9 April 1538;[4] to him and Janet Stewart his wife, of Thankertoun and Bothkennar on 22 April 1539,[5] and of Sunderland, which had been forfeited by William Cockburn of Henderland on 18 June 1541.[6]

He accompanied King James v. in his matrimonial expedition to France[7] in August 1537, was made prisoner by the English at the rout of Solway in November 1542,[8] but was released on payment of a ransom of 1000 merks sterling on 1 July 1543. On 16 January 1545 he founded the Collegiate Church of Biggar to the glory and honour of the high and undivided Trinity, the Father, Son, and Holy Ghost, and the Virgin Mary, for the safety of the souls of King James v., the Cardinal Legate, and his own soul, and Joan Stewart his wife, sister to the King, with an endowment for a provost, eight prebendaries, four singing boys, and six poor men.[9] He was at first of the English party relative to the projected match between Queen Mary and Prince Edward,[10] but soon deserted that cause. He was accused of treason, but Parliament on 11 December 1545[11] declared him to be innocent of all crimes alleged against him, and a true baron and liege to the Queen. He took part on the Scottish side in the war that thereafter broke out with England, and formed part of the army which invaded that country on 10 August 1545. He executed his latter will and testament on 15 February 1546-47,[12] and fell at the battle of Pinkie on 10 September 1547,[13] in the fifty-third year of his age. He married, dispensation dated 26 February 1524-25,

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Ibid.* [4] *Ibid.*; Charter-chest, 78. [5] *Reg. Mag. Sig.* [6] *Ibid.*; Charter-chest, 525. [7] Pinkerton, ii. 337. [8] *Fœdera*, xiv. 797. [9] Charter-chest, 529; *Misc.*, Spalding Club, v. 296. [10] Sadler, i. 132. [11] *Acta Parl. Scot.*, ii. 460. [12] Charter-chest, 86; *Misc.*, Spalding Club, v. 208. [13] Charter-chest, 89.

they being within the third degree of consanguinity,[1] (contract dated 27 January same year [2]), Janet Stewart, natural daughter of King James IV. by Isabel Stewart, Countess of Bothwell, daughter of James, third Earl of Buchan. Her tocher was 2500 merks. She survived him, was served heir to her terce as relict on 2 November 1547,[3] went to France in 1548 in charge of the child Queen, whose education she superintended, but was superseded by Madam Parois, an extreme Catholic. She thereafter became mistress of Henry II., King of France, to whom she had a son, Harry de Valois, 'le Bâtard d'Angoulême,'[4] returned to Scotland in 1555, resided at Boghall, and died after 1560 and before 1564.[5]

He had issue:—

1. JAMES, fourth Lord.
2. JOHN, fifth Lord.
3. *Johanna*, married, first, to John Livingston, son of Alexander, Lord Livingston,[6] who was killed at Pinkie 10 September 1547; secondly (contract 24 May 1560), to John Sandilands of Calder;[7] and, thirdly, before November 1567, to David Crawford of Kerse.[8]
4. *Janet*, married to Richard, son and heir-apparent of Andrew Brown of Hartree. He had a precept of sasine from his father-in-law, Lord Fleming, of the £5 lands of East Hartree on 23 September 1536.[9]
5. *Agnes*, married, about 1553, to William, sixth Lord Livingston. They had a charter, on 1 October 1553, of the lands of Castletown and Balmalloch.[10] She is said to have been buried at Falkirk, and two recumbent stone figures near the family tomb are said to represent her and her husband.
6. *Margaret*, married, first, to Robert, Master of Graham, who was killed at Pinkie 10 September 1547;[11] secondly (contract 30 January 1548-49[12]), to Thomas, Master of Erskine, without issue. She had a charter in her viduity in liferent from John

[1] Charter-chest, 70. [2] *Reg. Mag. Sig.*, 31 January 1531-32. [3] Charter-chest, 88. [4] *Cal. of Scot. Papers*, i. 889. [5] *Exch. Rolls*, xix. 266. [6] Discharge for her tocher, 26 June 1547, Charter-chest, 319. [7] *Reg. of Deeds*, vii. 94. [8] *Acts and Decreets*, xl. 208. [9] Charter-chest, 508. [10] *Reg. Mag. Sig.* [11] Receipt for her tocher, Charter-chest, 323, 6 January 1546-47. [12] *Acta Dom. Conc. et Sess.*, xxv. 78.

Cunningham of Drumquhassell on 1 March 1548-49 in implement of her marriage-contract with Thomas, Master of Erskine;[1] and, thirdly (contract 1 April 1557[2]), to John Stewart, fourth Earl of Atholl, Lord Chancellor. They had a charter of the lands of Inglassey. She is said to have possessed powers of incantation, and at the birth of James VI. cast the pains of labour from the Queen on the Lady Rires.[3] She was dead before 15 March 1586-87.[4]

7. *Mary*, born 1542, one of the Queen's Maries, with whom she went to France in July 1548 and returned with the Queen to Scotland. She was married, at Stirling on 6 January 1567-68, to William Maitland of Lethington, the Queen's secretary, who died about June 1573. As relict of William Maitland she was charged by the Privy Council on 20 June 1573 to deliver up a chain of rubies with twelve marks of diamonds and rubies and a mark of two rubies which had belonged to Queen Mary, to the Regent for the King.[5] She married, secondly, George Meldrum of Fyvie.[6]
8. *Elizabeth*, who was married, before 24 March 1540-41,[7] to William, Lord Sanquhar.

Malcolm, Lord Fleming, had at least two natural sons:—

William, mentioned in his father's testament 15 February 1546.[8]

John, who had letters of legitimation of 15 June 1541[9] and was absolved by the Justice Deputes with James, Lord Fleming, and others for wounding William Crichton and killing John Davidson, servant to John Crichton, tutor of Sanquhar, 3 February 1542-43.[10] He had a charter of the lands of Brackenleys from his father 29 September 1541.[11] He is called of Biggar,[12] and afterwards, in right of his wife, of Carwood. He died 22 August 1592.[13] He married Janet Carwood, coheiress of Carwood with Margaret,

[1] *Reg. Mag. Sig.*, 2 January 1555-56. [2] *Reg. of Deeds*, ii. 371. [3] Bannatyne's *Journal*, 238. [4] *Chiefs of Grant*, iii. 288. [5] *P. C. Reg.*, ii. 246. [6] *Reg. of Deeds*, xxii. 381. [7] Charter-chest, 521. [8] *Misc.*, Spalding Club, v. 308. [9] *Reg. Mag. Sig.* [10] Charter-chest, 93. [11] *Ibid.*, 676. [12] *Acts and Decreets*, xlviii. 313. [13] Edin. Tests., 22 August 1592.

her sister, Queen Mary's favourite attendant,[1] and had three sons: *William*, presented to the Provostship of the Collegiate Church of Biggar by John, Lord Fleming, 1 January 1573,[2] *James* and *John*.

IV. James, fourth Lord Fleming, was served heir to his father in the lands of Castlerankine on 20 May 1549, and in the lands of Glenquotho and Quarter Chapel on 7 May 1555.[3] He accompanied the Queen-Dowager to France in 1550,[4] was constituted Great Chamberlain of Scotland for life by letters patent dated 12 November 1553,[5] and guardian of the East and Middle Marches, with power of justiciary within the limits of his jurisdiction, 10 October 1556.[6] He was one of the eight commissioners elected by Parliament on 14 December 1557 to represent the Scottish nation at the nuptials of Queen Mary and Francis the Dauphin in Paris on 24 April 1558. The refusal of these deputies to use their influence to have the Scottish Regalia sent to France that the Dauphin might be crowned gave such offence to the French Court that it was alleged an attempt was made to poison them. The Earls of Cassillis and Rothes, and Bishop Reid, three of their number, all died on one night at Dieppe 28 November 1558.[7] Lord Fleming hastened back to Paris, where he died on 15 December 1558 in the twenty-fourth year of his age. His testament was dated at Dieppe 8 November 1558.[8] He married (contract 22 December 1553[9]) Barbara Hamilton, eldest daughter of James, Earl of Arran, Duke of Chatelherault, Governor of Scotland, and relict of Alexander, Lord Gordon.[10] She had a charter from her husband of part of the barony of Lenzie 14 December 1553.[11] They had an only child:—

Jane, whose ward and marriage was granted to John, eighth Lord Maxwell.[12] She had a provision of 4000 merks for her marriage promised by her uncle John, fifth Lord, to James, fourth Lord, her father, which he having failed to pay, she complained to the Privy

[1] *Acts and Decreets*, x. 374; *Reg. of Deeds*, xvii. 281. [2] Charter-chest, 562. [3] *Ibid.*, 89, 545, 678. [4] *Diurnal of Occurrents*, 50. [5] Charter-chest, 94. [6] *Ibid.*, 98. [7] *P. C. Reg.*, xiv. 14. [8] Charter-chest, 326. [9] *Acts and Decreets*, x. 58, 59. [10] Charter-chest, 324. [11] *Reg. Mag. Sig.*, 21 December 1553. [12] *Book of Carlaverock*, i. 228.

Council on 4 August 1579,[1] and had a sixth part of the revenues from the lordship of Fleming assigned to her on 24 September 1579.[2] She was married, first (contract 16 January 1582-83[3]), to John, Lord Thirlestane, Lord Chancellor, who died 3 October 1595, and had issue. They had a charter of the lands of Thankerton and Biggar on her resignation as granddaughter and heir of Malcolm, Lord Fleming, 30 October 1583.[4] She was married, secondly (contract 4 November 1597[5]), much to the amusement of the Court, to John, fifth Earl of Cassillis, but had no issue. On 2 March 1609 she, being heavily diseased and under medicine, was granted a licence by the Privy Council to eat meat during the forbidden time of Lent.[6] She died on 23 June 1609, aged fifty-five, and was buried at Haddington.[7]

James, fourth Lord, had a natural son *Thomas* who was father of *William*, a bailie and commissioner in Parliament for the city of Perth in 1567.

V. John, fifth Lord Fleming, who succeeded his brother, had a charter as second son of Malcolm, Lord Fleming, and Janet Stewart, his wife, of the lands of Sunderland in Selkirkshire and Mossfennan in Peebles on 29 September 1541.[8] From his brother James, Lord Fleming, he had a charter of his whole lands, reserving his liferent with the provision that the same should be redeemable by the heirs-male of his body by payment of £20 Scots and under burden of provisions to daughters, on 15 January 1557-58,[9] which was confirmed under the Great Seal 17 following.[10] He was appointed Great Chamberlain for life by commission dated 30 June 1565,[11] and had a gift, under the Privy Seal, from Queen Mary of the office of Master Usher of Her Majesty's Chambers during his life 25 July 1565.[12] He had a further gift under the Privy Seal for his continual service to the Queen since her infancy, without compensation, and for his service against the rebellious

[1] *P. C. Reg.*, iii. 253. [2] *Ibid.*, 220. [3] *Reg. of Deeds*, xxii. 379. [4] *Reg. Mag. Sig.* [5] *Deeds*, lxi. recorded 16 December 1597. [6] *P. C. Reg.*, viii. 256. [7] Edin. Tests., 9 March 1610. [8] *Reg. Mag. Sig.*, 19 November 1541. [9] Charter-chest, 100. [10] *Reg. Mag. Sig.* [11] Charter-chest, 112. [12] *Ibid.*, 294.

people of Nithsdale, of a third of the rents of the Priory of Whithorn until 1000 merks of yearly rent should be made up to him.[1] He had a commission under the Great Seal, of justiciary within the sheriffdom of Peebles and Overward of Lanarkshire 28 March 1567,[2] and he was made Governor of the Castle of Dumbarton in 1565.[3] He was present in the Palace of Holyrood on 9 March 1565-66 when Rizzio was murdered, entered into the association on the Queen's behalf at Hamilton 8 May 1568, was present at the battles of Carberry Hill and Langside, accompanied Mary in her flight into England, and hastened to London to arrange for her proper accommodation, but the mission was unsuccessful.

He returned to Scotland, was forfeited by Parliament on 18 November 1569,[4] held the Castle of Dumbarton for the Queen till it was taken by surprise by Captain Thomas Crawford of Jordanhill, on 2 April 1571, when he escaped in a small boat into Argyleshire and thence to France to procure assistance. His wife fell into the hands of his enemies, but was treated with consideration. He returned home on 28 May 1572, and was mortally wounded by some French soldiers discharging their muskets for a volley on their entrance into Edinburgh,[5] some of their bullets ricochetting from the causeway and wounding him on the knee. He was carried into the Castle of Edinburgh and thence conveyed in a litter to Biggar, where he died on 6 September 1572. He married, 10 May 1562 (contract 22 February 1561-62[6]), Elizabeth, only child of Robert, Master of Ross, eldest son of Ninian, third Lord Ross. She survived him and made her testament 14 April 1578.[7] They had issue:—

1. John, sixth Lord.
2. *Margaret*, married (contract dated 13 and 19 April 1588[8]) to Sir James Forrester of Carden.[9]
3. *Elizabeth*, who along with her brother and three sisters was decerned by the Privy Council, on 24 September 1579, to share the lordship of Fleming equally

[1] Charter-chest, 114. [2] *Ibid.*, 115. [3] *Reg. Sec. Sig.* [4] *Acta Parl. Scot.*, iii. 49, 55. [5] Bannatyne's *Journal*, 344, 385. [6] Charter-chest, 327, where date is erroneously given as 1571; *Reg. of Deeds*, v. 49. [7] Charter-chest, 120. [8] *Reg. of Deeds*, xxxv. 69. [9] *Reg. Mag. Sig.*, 21 February 1615.

with their cousin Jane, daughter of James, Lord Fleming.[1]

4. *Jean*, married (contract dated 1582-83) to William Bruce of Airth, and died at Newtown of Bothkennar in October 1630.[2]
5. *Mary*, married (contract dated 9 December 1581[3]) to James Douglas of Drumlanrig, from whom she had a charter of the lands of Chanlofute and others in Dumfriesshire on 10 December 1581.[4] Her dowry was 6000 merks.[5]

Lucrece, natural daughter, married (banns given in 4 Aug. 1593) to Robert Graham of the Fauld in England.[6]

VI. John, sixth Lord Fleming, born 1567, was restored in 1579 to the estates which had been forfeited by his father,[7] was retoured heir to his mother, father, uncle, and grandfather in their whole lands on 26 July 1580,[8] had a charter of the lands of Boghall, Mylntown, and Arretsholl from John Fleming of Boghall on 28 February 1581-82, which was confirmed under the Great Seal 14 April 1582,[9] and a grant from the King of the office of Usher or Janitor of the Royal House for his lifetime on 18 September 1583, and again on 30 July 1587.[10] From King James vi. he had a charter of his whole lands therein mentioned erected into a lordship and barony, to be called the lordship of Cumbernauld, and the towns of Biggar and Kirkintilloch into burghs of barony, on 18 January 1588-89,[11] and another charter of the said lands on his own resignation for new infeftment to himself and the heirs-male of his body, whom failing, Alexander Fleming of Barrochan and the heirs-male of his body, whom failing, to his own nearest heirs-male whatsoever bearing the arms and surname of Fleming, on 31 January 1595-96.[12] In 1590 he was appointed by the King his ambassador to Denmark.[13] On 14 December 1598 he was admitted a member of the Privy Council,[14] and charged to reside at Boghall for

[1] *P. C. Reg.*, iii. 253-254. [2] Stirling Tests., 24 November 1630. [3] *Fifteenth Rep. Hist. MSS. Com.*, App. viii. 29, 30. [4] *Reg. Mag. Sig.*, 12 December 1581. [5] Discharge for same 7 February 1588, Charter-chest, 328. [6] Stirling Register. [7] *P. C. Reg.*, ii. 231. [8] Charter-chest, 123, 124. [9] *Reg. Mag. Sig.* [10] Charter-chest, 295, 296; *Reg. Mag. Sig.* [11] Charter-chest, 131; *Reg. Mag. Sig.* [12] Charter-chest, 142, 144. [13] *P. C. Reg.*, iv. 536. [14] *Ibid.*, v. 499.

the repression and pursuit of Border thieves 28 July 1600.[1] He was advanced to the dignity of EARL OF WIGTOWN, LORD FLEMING AND CUMBERNAULD by patent dated at Whitehall 19 March 1606,[2] with remainder to his heirs-male of lawful and lineal descent, and in terms thereof he was formally invested at Perth on 1 July 1606.[3] To the King and State he rendered many services; amongst others he was assessor to the Earl of Dunbar, Lord High Commissioner to the General Assembly of July 1608,[4] and assessor to the Justice in the trial of Lord Balmerino at St. Andrews on 4 March 1609.[5] He was commissioned by the Privy Council to reconcile Lord Sempill and the Earl of Glencairn 16 March 1609,[6] for success in which he received the Council's thanks 1 June 1609;[7] was commissioner for the King in the clerical conferences at Falkland 4 and 5 May 1609;[8] he had a commission to report on the complaints against Patrick, Earl of Orkney, 13 June 1609,[9] was a Lord of the Articles in the Parliament of May 1609,[10] was reappointed a member of Privy Council 20 January 1610,[11] and was made one of the Ecclesiastical High Commissioners 15 February 1610.[12] He was entrusted with the transportation of Sir John Bruce of Airth from Stirling Castle to Edinburgh Castle 14 June 1610,[13] and was appointed a Commissioner of Exchequer 15 November 1610.[14] He made his testament on 1 November 1615;[15] and, on 23 December 1618,[16] executed a revocation of several deeds granted by him in favour of Sarah Maxwell, since her marriage to him, alleged to have been obtained by her craft and circumvention, and died in April 1619. He married, first (contract dated at Kincardine, Airth and Callendar 12 and 13 January 1585-86[17]), Lilias Graham, only daughter of John, third Earl of Montrose, and secondly, Sarah Maxwell, eldest daughter of John, Lord Herries, and relict of Sir James Johnston of Johnston, who had died 6 April 1608. She had a charter of the lands of Thornyquhat in Dumfriesshire 12 December 1620.[18] She survived him, and married,

[1] *P. C. Reg.*, vi. 136. [2] Charter-chest, 174, where the year is erroneously given as 1609; Mar Peerage Case, Evidence, 337. [3] *Ibid.*, 175; Mar Peerage Case, Evidence, 658. [4] *P. C. Reg.*, viii. 140. [5] *Ibid.*, 257. [6] *Ibid.*, 263. [7] *Ibid.*, 292, 585. [8] *Ibid.*, 281. [9] *Ibid.*, 299. [10] *Ibid.*, 304. [11] *Ibid.*, 815. [12] *Ibid.*, 418. [13] *Ibid.*, 845. [14] *Ibid.*, ix. 86. [15] Charter-chest, 184. [16] *Reg. of Deeds*, 22 January 1619. [17] Original at Buchanan Castle; cf. however Charter-chest, 127, where they are said to have been contracted 7 February 1583. [18] *Reg. Mag. Sig.*

thirdly, Hugh Montgomery, first Viscount Montgomery of the Great Ards in Ireland, and was buried in Holyrood Abbey 29 March 1636.[1] Issue by first marriage:—

1. JOHN, second Earl.
2. *James* of Boghall, who entered the University of Glasgow as a student in 1607, had a charter of the lands of Boghall, Milltown, and Arretshole from his father on 10 April 1593,[2] and died in October 1623.[3] He married (contract dated 7 November 1612[4]) Janet, daughter of John Brisbane of Bishopton, and had issue:—

    (1) *John*, served heir to his father 9 September 1646 in Boghall,[5] became fatuous and unable to manage his affairs. His cousin, Lieutenant-Colonel John Fleming, was served tutor to him on 24 May 1654.[6] He, with consent of his tutor, disponed the lands of Boghall to Matthew Brisbane of Rosline on 22 August 1656.[7] He died *s.p.*
    (2) *James*, who predeceased his brother before 24 May 1654 *s.p.*
    (3) *Francis*.
    (4) *Anna*.
    (5) *Jean*, all named in their father's testament.

3. *Malcolm*, third son, is a substitute heir in a charter granted to Jean Fleming, Countess of Cassillis, of the lands of Gilmerton in Midlothian on 28 December 1597.[8] He had issue:—

    (1) Lieutenant-Colonel *John*, eldest son, was, as nearest cousin on the father's side, served tutor-at-law to John Fleming, only son of James Fleming of Boghall, on 24 May 1654,[9] and as heir in special to him on 29 June 1667,[10] and died in April 1684.[11]
    (2) *William*, who with his brother John and others disponed to Matthew Brisbane of Roslin all their interest in the lands of Boghall, Milltown, and Arretshole on 2 August 1658[12] and died before 8 October 1684.
    (3) *Jean*, who married Adam Murray of Carden.[13]
    (4) *Helen*.
    (5) *Mary*. Her sisters and she were served heirs-portioners to their brother John on 8 October 1684,[14] and were seised in an annualrent from 23,000 merks secured over the lands of Cumbernauld, sasine recorded 28 October 1684.[15]

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[1] Balfour's *Annals*, ii. 225-226. [2] Dundonald Inventory, 187. [3] Glasgow Tests., 11 July 1625. [4] Charter-chest, 333. [5] *Retours, Lanark*, 224; *Renfrew*, 126. [6] *Retours of Tutory*, 814. [7] Dundonald Inventory, 202. [8] *Reg. Mag. Sig.* [9] *Retours of Tutory*, 814. [10] *Retours, Renfrew*, 166. [11] Dunblane Tests., 10 March 1684. [12] Dundonald Inventory, 201. [13] *Retours General*, 6674. [14] *Ibid.*, 6586. [15] *Dumbarton Sasines.*

4. *Alexander*, renounced his provision of 10,000 merks from lands of Cumbernauld to John, second Earl, on 5 May 1620.[1] He was the alleged ancestor of Charles Ross Fleming, who claimed the earldom as aftermentioned. This Alexander is also claimed as an ancestor by the Rev. W. Alexander Fleming of Bishopthorpe Vicarage, Leeds.
5. *Jean*, married (contract dated 1603) to George, Master of Loudoun; her tocher was 21,000 merks.[2] She died in March 1612.
6. *Ann*, married, first (contract dated 5 November 1607), to Sir William Livingston of Darnchester, eldest son of Sir William Livingston of Kilsyth; her tocher was 12,000 merks;[3] and secondly (contract dated 18 September 1618[4]), to Sir John Seton of Barns, and died in July 1625.[5]
7. *Margaret*, married (contract dated 1613) to Sir John Charteris of Amisfield; her tocher was 9000 merks.[6] They had a charter of the lands of Kilmichael on 9 January 1617.[7] She was dead before 6 June 1622.[8]
8. *Lilias*, married (contract dated 30 October 1627) to Sir David Murray of Stanhope. Her father bound himself to support them and to bring up their children in place of tocher under the contract.[9]
9. *Mary*, married (contract dated 14 February 1634) to Archibald Stewart, younger of Castlemilk,[10] who died in the lifetime of his father Sir Archibald Stewart of Castlemilk in May 1643. Her tocher was 10,000 merks.[11]
10. *Rachel*, married (contract dated in November and December 1624) to George Lindsay of Covington.[12]

Issue by second marriage:—

11. *Sarah*.
12. *Jean*, who with her sister is mentioned in a bond of provision by John, Lord Fleming, in 1616, as daughters

[1] Sasine recorded 24 June 1620 at Edinburgh. [2] Discharge for same dated 6 June 1609, Charter-chest, 332. [3] *Ibid.* 16 May 1610, Charter-chest, 335. [4] Protocol Book of John Hay, v. 70; *House of Seton*, 626. [5] Edin. Tests., 17 June 1626. [6] Discharge for same dated in 1614, Charter-chest, 334. [7] *Reg. Mag. Sig.* [8] *Ibid.* [9] Charter-chest, 336; *Reg. Mag. Sig.*, 4 December 1630. [10] *Reg. Mag. Sig.*, 15 December 1634. [11] Charter-chest, 339. [12] Discharge for her tocher, dated 31 March 1630, Charter-chest, 337.

of the Earl by his second wife. She was engaged to marry James Grant, seventh of Freuchie, but his friends opposed the match, and he broke it off.[1] She died at Newbie 21 December 1638.[2]

The Earl had a natural son, to whom he granted an instrument of premonition for redeeming the lands of Edmonstoun dated 5 April 1594.[3]

VII. JOHN, second Earl of Wigtown and seventh Lord Fleming, probably baptized at Kincardine about 9 December 1589, had a charter from his father to him and Lady Margaret Livingstone his wife, of the lands of Easter and Wester Castlerankine and others in the barony of Harbertshire and county of Stirling, and other lands in the counties of Perth, Lanark, and Peebles, reserving his father's liferent on 2 September 1609;[4] another charter from his father to him and his wife and his heirs-male, of the lordship of Cumbernauld 25 August 1614. He succeeded his father 1619, and had charters of the lands of Kingledoors and others in Peeblesshire under the Great Seal on 17 July 1621,[5] of the lands of Castlerankines and others in barony of Harbertshire on the resignation of Sir William Sinclair of Roslin on 16 June 1632;[6] of the lands of Catscleuch in Stirlingshire on the resignation of James, Lord Livingston of Almond, on 24 December 1634,[7] and of Drumgryne on 30 January 1637.[8] He was nominated to the Privy Council 8 March 1626,[9] was served heir to his father in the lands of Glenquotho and Quarter Chappell in Peeblesshire on 17 April 1628,[10] was one of the Committee of Estates 1640, was appointed a Privy Councillor by Parliament 13 November 1641,[11] but entered heartily into an association to support King Charles I., framed at his own house of Cumbernauld in January 1641. He died at Cumbernauld 7 May 1650.[12] He married (contract dated 12, 15, 18, and 20 February 1609[13]) Margaret Livingston, second daughter of Alexander, first Earl of Linlithgow, with a tocher of 28,000 merks. She had a charter to her and John her eldest son of the barony of

[1] *Chiefs of Grant*, i. 243. [2] *Annandale Family Book*, clxiv. [3] Charter-chest, 590. [4] *Ibid.*, 700. [5] *Ibid.*, 607; *Reg. Mag. Sig.* [6] Charter-chest, 707. [7] *Ibid.*, 733. [8] *Reg. Mag. Sig.* [9] *Ibid.* [10] Charter-chest, 194; *Retours, Peebles*, 77. [11] *Acta Parl. Scot.*, v. 388. [12] Lamont's *Diary*, 17. [13] Books of Council and Session, 20 July 1609; *Reg. Mag. Sig.*, 25 August 1614; Charter-chest, 331.

Thankerton on 28 April 1617,[1] and was alive in 1634.[2] They had issue:—

1. JOHN, third Earl.
2. *Alexander*, who had with his brother William a dispensation from their father and brother of the annualrents effeiring to the principal sums of 10,000 merks payable from the lands of Harbertshire, Denny, and Catscleuch on 5 April 1636.[3]
3. *Sir William* entered the University of Glasgow as a student 11 November 1629,[4] was sent to King Charles I. by the Scottish Army in September 1640 with a proposal of conditions for a pacification, which led to the treaty of Ripon; had licence to go to Scotland to see his father, who was unwell in 1644,[5] and in 1648 was despatched to invite Prince Charles to come to Scotland. He was Gentleman Usher to King Charles I. and Chamberlain of the Household to King Charles II. He died *s.p.* before 26 June 1672, when his testament was confirmed;[6] his grandniece Jean, Countess of Panmure, was served heir to him 2 May 1678.
4. *Eleanor*, eldest daughter, married at Cumbernauld (contract 4 April 1650[7]), as his second wife, to David, second Earl of Wemyss, her tocher being 20,000 merks. She died *s.p.* 20 April, and was interred at Wemyss 6 May 1652.[8]
5. *Ann*, second daughter, married, first (contract dated 10 September 1639[9]), to Robert, Lord Boyd, her tocher being 25,000 merks;[10] and secondly (contract dated 10 December 1644), to George, second Earl of Dalhousie,[11] and died 20 April 1661,[12] leaving issue.
6. *Jean*, married (contract dated 19 October 1641[13]) to Sir John Grierson of Lag, her tocher being 12,000 merks,[14] and had issue.
7. *Lilias*.[15]
8. *Helen*.[16]

[1] *Reg. Mag. Sig.* [2] *Ibid.* [3] *Stirling Sasines*, 1 June 1636; Charter-chest, 710. [4] *Munimenta Univ. Glasg.*, iii. 530. [5] *Acta Parl. Scot.*, vi. i. 99. [6] Edin. Tests. [7] *Wemyss Book*, i. 255, contract dated 4 April 1650; Charter-chest, 346. [8] Lamont's *Diary*, 15. [9] *Reg. Mag. Sig.*, 17 September 1641. [10] Discharge for 15,000 merks, part of her tocher dated 18 July 1640; Charter-chest, 342. [11] *Reg. Mag. Sig.*, 16 August 1647. [12] Lamont's *Diary*. [13] Charter-chest, 343. [14] *Reg. Mag. Sig.*, 2 January 1643. [15] *Gen. Reg. Sasines*, xliv. 167. [16] *Ibid.*

VIII. JOHN, third Earl of Wigtown and eighth Lord Fleming, entered as a student at Glasgow University in 1626.[1] He had a Crown charter of the lordship of Cumbernauld 1 February 1634, and another charter to him and his son John of the lands of Catscleuch on 24 December 1634.[2] He joined the Marquess of Montrose, was present at the battle of Philiphaugh in 1645, and escaped with his leader[3] to the Highlands, where he lay concealed for some time. He was served heir to his father on 20 August 1652,[4] and again on 5 March 1658.[5] He was admitted a burgess and guild brother of Edinburgh 8 October 1660,[6] and an Act of Exchequer was passed on 24 June 1661 ordaining a letter of King Charles II. to be registered, whereby the King ordered payment to be made of 20,000 merks according to his royal father's agreement for the Earl's resigning the office of Usher which had been a subject of long contention between him and the family of Cockburn of Langtoun.[7] He executed his testament at Stirling on 24 July 1661, in which he mentions all his children afternamed, and died in February 1665.[8] He married (contract dated 10 March 1633) Jane Drummond, eldest daughter of John, second Earl of Perth. They had a conjoint charter of his whole lands on 1 February 1634,[9] and had issue:—

1. JOHN, fourth Earl.
2. *Sir Robert*, 'cornite or standert bearer' to His Majesty,[10] had a commission as cornet of His Majesty's person or lifeguard of Horse under command of Captain the Earl of Newburgh on 31 July 1662, and died in 1664, being buried at Biggar.
3. *James*, entered a student at Glasgow University 1653,[11] died unmarried.[12]
4. *Harry*, died unmarried.
5. WILLIAM, fifth Earl.
6. *Charles*, captain-lieutenant in the Earl of Mar's Regiment of Foot 27 September 1678, captain 7 December 1682, died March 1684,[13] unmarried, as appears from a discharge of one of his debts paid by

[1] *Munimenta Univ. Glasg.*, iii. 79. [2] *Reg. Mag. Sig.* [3] Guthrie's *Memorials.* [4] *Retours, Dumfries*, 205. [5] *Retours, General*, 4325. [6] Charter-chest, 311. [7] *Ibid.*, 306. [8] Lamont's *Diary*, 177. [9] *Reg. Mag. Sig.* [10] Funeral Entry, Lyon Office, 34.10. [11] *Munimenta Univ. Glasg.*, iii. 105. [12] Dundonald Inventory, 201. [13] Dalton's *Scots Army*, 113, 115, 125.

John, sixth Earl, his nephew, as his representative. He had a natural daughter Elspeth, by Isabel Anderson, baptized at Edinburgh in 1678.

7. *Margaret*, died unmarried.
8. *Lilias*, second daughter, married to Richard Story, one of her father's servants, with whom she eloped. He afterwards obtained an appointment in the Customs. She and her husband assigned her provision of the five-merk lands of Smythston and others in the barony of Lenzie to Lieutenant-Colonel John Fleming on 28 November 1673.[1]
9. *Jean*, mentioned in an assignation dated 1 July 1664. She is not mentioned in her father's testament which was executed in 1661. She died unmarried.

IX. JOHN, fourth Earl of Wigtown and ninth Lord Fleming had a charter on his own resignation, in terms of his contract of marriage, of the whole lands of the earldom of Wigtown under the Great Seal on 10 May 1662,[2] succeeded his father in 1665, and died in April 1668. He married[3] (contract dated 5 December 1660[4]) Ann, second daughter of Harry, Lord Ker, son of Robert, first Earl of Roxburghe (she died in November 1673[5]), and had issue:—

Jean, married, 23 December 1677 (contract dated 6 December 1677[6]), to George, Earl of Panmure, her tocher being 50,000 merks. William, fifth Earl, was served tutor-at-law to her, as nearest heir, on 21 September 1669,[7] and she was served heir-general to Sir William Fleming, her grand-uncle, 2 May 1678.[8] She died in April 1683.

X. WILLIAM, fifth Earl of Wigtown and tenth Lord Fleming, entered at Glasgow University as a student in 1660, and was appointed an ensign in Captain Thomas Dalziel's Company of Foot 26 July 1667.[9] He succeeded to the title on the death of his brother in 1668. On 18 August 1669 he

[1] Charter-chest, 873. [2] *Ibid.*, 212. [3] Hay of Craignethan's *Diary*, 210. [4] Charter-chest, 348. [5] Lanark Tests., 6 March 1674. [6] Charter-chest, 350; *Reg. de Panmure*, ii. 341. [7] *Retours of Tutory*, 947. [8] *Retours*, 6066. [9] Charter-chest, 315.

obtained a precept under the Signet authorising a charter to pass the Great Seal of the dignities and estates in favour of himself and the heirs-male of his body; whom failing, to Charles, his brother-german, whom failing, to Sir William Fleming, his Majesty's Gentleman Usher, son of John, second Earl, whom failing, to Lieut.-Colonel John Fleming, son of Malcolm, son of first Earl, whom failing, to his niece Lady Jean Fleming, afterwards Countess of Panmure, whom failing, to Lady Margaret Fleming, his aunt, and their heirs-male respectively, but no charter seems to have followed.[1] He had a commission from King Charles II. as captain of the Company of Foot in the garrison of Dumbarton, and commander of said castle, on 7 February 1673,[2] which was approved in Council 27 following. He was appointed Sheriff of Dumbarton 5 March 1673,[3] and was admitted a burgess of Edinburgh 25 May 1677.[4] He also was a member of the Privy Council. He was served heir to his brother in his whole estates lying in the counties of Dumbarton,[5] Haddington,[6] Lanark,[7] Peebles,[8] Perth,[9] Selkirk,[10] and Stirling,[11] as well as heir-general,[12] on 5 August 1668, and to his grandfather on 19 October 1678,[13] and died 8 April 1681.[14] He married, at Dalgety (contract dated 8 September 1670), Henrietta Seton, eldest daughter of Charles, second Earl of Dunfermline.[15] She survived him, and married, secondly, William, Earl of Crawford. They had issue:—

1. John, sixth Earl.
2. Charles, seventh Earl.
3. *Mary*, married, 30 March 1695 (contract dated 7 March 1695[16]), to the Hon. Harry Maule of Kelly (her tocher was 18,000 merks), and died in March 1702,[17] leaving issue

   William, Earl of Panmure.

4. —— a daughter, buried in Greyfriars Churchyard, Edinburgh, 24 March 1675.
5. *Henrietta*.[18]

[1] Riddell's *Peerage Law*, 631; Charter-chest 221. [2] *Ibid.*, 317. [3] *Reg. Sec. Sig.* [4] Charter-chest, 316. [5] *Retours*, 65. [6] *Ibid.*, 292. [7] *Ibid.*, 308. [8] *Ibid.*, 156. [9] *Ibid.*, 775. [10] *Ibid.*, 82. [11] *Ibid.*, 247. [12] *Ibid.*, *Gen.*, 5167. [13] *Ibid.*, 6103. [14] Glasgow Tests., 17 August 1681. [15] Lamont's *Diary*, 221; Birthbrief, Lyon Office. [16] Charter-chest, 351. [17] Funeral Escutcheon, Lyon Office. [18] Sir George Mackenzie's MS.

XI. John, sixth Earl of Wigtown and eleventh Lord Fleming, born about 1673, was served heir in special to his father in his whole estate before the Sheriff-Depute of Stirling on 19 October 1681.[1] He accompanied King James vii. to St. Germain-en-Laye, where, it is alleged, he was seduced, along with his brother, to Popery, and sent to foreign seminaries by the Earl of Perth in 1690.[2] He returned to Scotland, opposed the Treaty of Union in the Parliament of 1706,[3] voting against every article, and on the breaking out of the Jacobite rising he was committed a prisoner to the castle of Edinburgh as a suspect by warrant of Major-General Williams on 20 August 1715.[4] He required the Governor of the castle, under form of an instrument on 19 June 1716, to set him at liberty. The Governor replied that his lordship having been committed in time of war, could not be released without a special warrant from the King, or those having power from him. The Lords of Justiciary, however, ordained the Governor to set the prisoner at liberty on 24 June 1716. He held the appointment of King's Chamberlain of Fife in 1736, and died at Edinburgh on 10 February 1744, in the seventy-first year of his age, and was buried at Biggar.[5] He married, first, at Edinburgh, 14 March 1698, Margaret Lindsay, second daughter of Colin, third Earl of Balcarres. He divorced her 7 December 1708, for adultery, with John, Lord Belhaven,[6] and married, secondly (contract dated 8 February 1711), Mary Keith, eldest daughter of William, ninth Earl Marischal; she died 1721; and, thirdly, Euphame, daughter of George Lockhart of Carnwath, author of the *Memoirs of Scotland*, without issue. She survived him, and married, secondly, Peter MacElligot, major-general in the service of Maria Theresa, Empress Queen, and died at Bath 24 November 1762.

He had issue by first marriage:—

1. *Margaret*, married to Sir Archibald Foulis Primrose of Dunipace, executed at Carlisle 15 November 1746, and died *s.p.* before 1724.

Issue by second marriage:—

[1] Charter-chest, 223. [2] *Acta Parl. Scot.*, ix. App. 147. [3] *Ibid.*, xi. 236, 237, 405. [4] Burnett's *Criminal Law*, 325. [5] *Scots Mag.*; Glasgow Tests., 23 January 1745; Funeral Escutcheon, Lyon Office. [6] Consistorial Causes, *Edin. Com. Reg.*, 162.

2. *Clementina*, born 1719; married, 14 October 1735, Charles, tenth Lord Elphinstone, and died at Marylebone 1 January 1799, aged seventy-nine. She was succeeded in the estates of Cumbernauld and Biggar by her grandson the Hon. Charles Elphinstone, who assumed the name of Fleming; captain in Royal Navy, and M.P. Stirlingshire. (*See title* Elphinstone, Lord Elphinstone.)

XII. CHARLES, seventh Earl of Wigtown, and twelfth Lord Fleming, born about 1675; entered the Roman Catholic College at Douay on 18 May 1689; succeeded his brother in 1744; and died, unmarried, at Cumbernauld, Saturday, 16 May 1747,[1] and was buried at Airth 22 following. He was succeeded in his estates by his niece Clementina before mentioned.

On the death of the seventh Earl the title was assumed by Charles Ross Fleming, M.D., Dublin, who claimed to be descended from Alexander Fleming, son of John, first Earl of Wigtown, who, he alleged, had a son,

REV. JAMES FLEMING, called son to deceased Alexander Fleming, brother to John, Earl of Wigtown, in an alleged bond by William Fleming, merchant, Glasgow, to him, dated 31 July 1654.[2] In an agreement, dated 11 September 1660, relative to his marriage-contract, he is called only son of Alexander Flemyng, of the Kingdom of Scotland, and grandson of the deceased Earl of Wigtown. He was rector of Ramochy or Ray, in co. Donegal, in 1660; died in 1684; married (contract dated 11 September 1660) Janet, daughter of Rev. Alexander Forsyth, D.D., rector of Letterkenny, co. Donegal, and had issue:—

1. REV. JAMES, next mentioned.
2. *Thomas*, in Army.
3. *Matthew*.
4. *Elizabeth*, married John Stewart of Ducarrick, co. Donegal, *s.p.*

REV. JAMES FLEMING, studied at Glasgow University,

[1] Funeral Escutcheon, Lyon Office; Glasgow Tests., 9 January 1748.
[2] Recorded in the Books of Council and Session 5 October 1775.

where he graduated M.A.; ordained at Fulham 7 October 1694; priest 10 May 1696; became chaplain to 5th Dragoons, commanded by General Ross, 1700; chaplain to Lord Rochester 5 May 1702, to the Duke of Ormonde, both Lord-Lieutenants of Ireland, 4 June 1703; inducted rector of Castlane or Whitchurch and vicar of Dunmore, Diocese of Ossory, 7 February 1705; of Kilderry Mothel and Kilmadinoge 6 February 1711; and chaplain to William, Lord Ponsonby, 1 January 1712. He made his testament on 11 September 1729, and was dead on 3 November following, when it was proved. He married, in 1700, Magdalen, daughter of Rev. Thomas Way, Vicar-General of Ossory, and had issue:—

1. *Thomas*, rector of St. John's, Jamaica, buried there 2 December 1741 *s.p.*
2. Charles Ross, next mentioned.
3. *John*, an attorney, died 9 December 1759 *s.p.*
4. *Eustace* (daughter).
5. *Elizabeth*. 6. *Mary*. 7. *Arabella*.

Charles Ross Fleming, baptized 12 April 1711; doctor of medicine in Dublin; was admitted burgess of Glasgow 18 April 1748. On the death of Charles, seventh Earl, in 1747 he assumed the title of Earl of Wigtown, and voted at several elections of Representative Peers without challenge. On 22 September 1753, on the narrative that his father was the son of Lieut.-Colonel John Fleming, son of Malcolm Fleming, third son of John, first Earl of Wigtown, he was served heir to his father before the Bailies of the Canongate, which designation was afterwards set aside on an Action of Declarator in the Court of Session. He, on 16 November 1761, was ordered to attend the House of Lords on 14 December following, and again on 20 January 1762, to show by what authority he took the title.[1] He presented a petition to the King claiming to be nearest heir-male then existing descended of the body of John, first Earl of Wigtown.[2] The petition was referred to the House of Lords on 29 January 1762, and on the 25 March thereafter it was ordered that he ought to be considered

[1] Robertson's *Proceedings*, 296. [2] *Ibid.*, 304.

as having no right to the said title until he should have made out his claim, and that meantime he should not be admitted to vote.[1] He died at Westminster 18 December 1769. He married, 26 December 1743, Ann, daughter of William Hamilton of Killyleagh, co. Down, and had issue:—

1. HAMILTON.
2. *Jane Sarah*, married, 13 April 1771, James Medlicot Flack of Norton Street, London, Attorney.

HAMILTON FLEMING, baptized 27 February 1745, an officer in the 13th Regiment, ensign 25 November 1760, lieutenant 29 January 1768; presented a petition praying that it might be declared and adjudged that he was entitled to the title, honour, and dignity of Earl of Wigtown, which petition was referred, 18 July 1777,[2] to the House of Lords, who resolved, on 6 February 1782, that he had no right to the same, the Lords at the same time expressing grave doubts on the genuineness of the documents on which the claim was based. He died 13 June 1809, aged sixty-four, having married, at St. George's, Hanover Square, 14 December 1769, Mary Charlotte, daughter and coheiress of William Child of Berthwaite Hall, Darton, Yorkshire. She died at Richmond Hill 31 January 1797, aged forty-seven, leaving issue an only child, Harriet Jane Laura Fleming, who married, 13 October 1794, at Wyrardisbury, Bucks, William Gyll, Captain 2nd Life Guards. She died 6 November 1813, aged thirty-five. He died 16 February 1806, aged thirty-one, leaving issue.

CREATIONS.—Lord Fleming, between 31 March 1451 and 1 July 1454. Earl of Wigtown, Lord Fleming and Cumbernauld, 19 March 1606.

ARMS (recorded in Lyon Register).—Quarterly: 1st and 4th, gules, a chevron within a double tressure counterflowered argent, for *Fleming*; 2nd and 3rd, azure, three frases (or five saltireways according to some) argent, for *Fraser*.

[1] Robertson's *Proceedings*, 311. [2] *Ibid.*, 398.

Crest.—A goat's head erased argent, armed or.

Supporters.—Two harts proper, attired with ten tynes or, a collar azure charged with three frases argent.

Motto.—*Let the deed shaw.*

[F. J. G.]

SETON, EARL OF WINTON

THE origin of the ancient family of Seton of that Ilk is unknown. A fragment of a manuscript in the British Museum, apparently of the sixteenth century, has it that 'their surnam came home with King Malcolme Camoir foorth of Ingland.'[1] Chalmers held a different view: he asserted that the first of the race who settled in Scotland was a member of the Norman family of Say, and that he 'obtained from David I. lands in East Lothian which, from him, were called Say-tun; whence his descendants obtained the surname of Saytun or Seton.'[2] But Chalmers gave no authority for these statements,[3] to which later writers have added very dubious particulars;[4] and no record evidence on the subject appears to exist.

The learned Sir Richard Maitland of Lethington[5] wrote

[1] Brit. Mus., Harleian MSS. 1423, fol. 60. Scetun (now Seton Hall), in the parish of Hinderwell near Whitby, is mentioned in the Domesday Book as a manor, with a church (*Facsimile* of the part relating to Yorkshire, 1862, xv.). It seems to have been a place of some little importance (*History of Cleveland, Anc. and Mod.*, by the Rev. J. C. Atkinson, 1874, i. 214-216). The name was evidently assumed as a territorial surname in no long time after 1086; Osbert de Seton had a grant of lands in the same parish between 1139 and 1148 (*Chartulary of Whitby*, Surtees Soc., 381). [2] *Caledonia*, ed. 1810, i. 517. [3] He refers only to Maitland and Nisbet, who say nothing of the kind. [4] *E.g.*, *The Norman People*, London, 1874, 263; *The Roll of Battle Abbey*, by the Duchess of Cleveland, 1889, ii. 372. [5] *Vide supra*, vol. v. 291.

a 'Historie or Chronicle of the Hous and Surename of Seytoun' down to 1559.[1] He was 'ane dochteris sone of the said hous.'[2] He opined that King Malcolm Canmore 'gaif to the predecessour and forbear of my Lord Seytoun the surename of Seytoun . . . appearandlie be ressoun that the gentilman . . . possessit the landis of Seytoun for the tyme.' As regards the origin of the name he says 'thay landis ar callit Seytoun for ane grit caus, becaus thay ly hard vpon the Sey cost and the Toun thairof is neir to the Sey.'[3] This is perhaps the more probable theory; but it is noticeable that the place-name of Seton (Seitonie) does not occur in Scottish record until[4] the time of Alexander Setone[5] (or de Seaton),[6] who witnessed a charter of certain lands in Roxburghshire, granted by King David I. to Walter de Riddale about 1150.[7]

Alexander de Seaton was probably father of

Philip de Setun, who had from King William the Lion a charter of confirmation, granted at Stirling between 1177 and 1185, of the lands of Setune, Wintune and Winchelburgh, which had been his father's.[8] Maitland states that

[1] Two editions of this delightful work have been printed. The first was issued by the Maitland Club, Glasgow, 1829, and was also circulated by the Bannatyne Club. It contains a continuation to 1687, by Alexander, Viscount Kingston, and was printed from two MSS. in the Advocates' Library. The first part is hereinafter cited as *M. G.*, the continuation as *K.* The other edition was printed at Edinburgh in 1830, from a MS. at Duns Castle, which contains many particulars not found in earlier MSS., believed to have been added by Alexander, first Viscount Kingston. Several alliances of the earlier generations are thus added; but contemporary authority for them has not been found, and they are therefore omitted in this article. The Edinburgh edition is cited *infra* as *M. E.* [2] *M. G.*, xiii. [3] *Ibid.*, 15, 16. [4] Charter by Ada the Countess, mother of the King of Scots, of date between 1153 and 1178 (*Laing Charters*, edited by the Rev. John Anderson, Edinburgh, 1899, No. 2). [5] Adv. Lib. MS. 15.1.18, 76. [6] Sir James Dalrymple's *Coll. on Scottish Hist.*, Edin., 1705, 348, 426. [7] *Early Scottish Charters*, by Sir Archibald C. Lawrie, Glasgow, 1905, 179. The original charter is said to be in the Riddell Charter-chest; *vide* Case for the Earl of Eglinton in his service as heir-male general and heir-male of provision to George, fourth Earl of Winton, 1840, 1. [8] Eglinton Charter-chest. A reduced *facsimile* is given at vol. i. p. 68 of *The History of the Family of Seton during Eight Centuries*, by George Seton, M.A. Oxon., etc., privately printed, Edinburgh, 1896, 2 vols. 4to. This work is hereinafter cited as *Fam. of S.* The researches and collections of the learned author have supplied and indicated much material for this article, especially as regards the later generations of Setons.

he died in the fourteenth year of King William,[1] *i.e.* in 1178 or 1179; but he seems to have witnessed a Crown charter which cannot be assigned to an earlier date than 1184.[2]

Philip de Setun is said to have married Alice (or Helen), daughter of Waldeve, fourth Earl of Dunbar,[3] but of this alliance no evidence seems to be extant. On the other hand, it seems probable that he was the husband of a lady named Matilda Corbet.[4] He left issue:—

1. Sir Alexander de Seton, of whom below.
2. *Thomas de Seton*, a witness to several charters, is said to have been son of Philip, but is nowhere designed as such.
3. *Emma*, who was married to Adam de Pollisworth.[5]

Alexander, son of Philip de Setun had a charter of confirmation of the land that was Philip his father's, viz., Setune and Wintune and Wincelburgh, granted at Forfar by King William the Lion; to be held by the service of one knight 'as is shown by my charter made thereupon to his father.'[6] This confirmation is now considered to date from about the year 1195. The name of Alexander de Seton, (sometimes styled knight), occurs frequently in record throughout the reign of King Alexander II. He made a donation to Dunfermline Abbey for the benefit of his soul before 1246,[7] and is said to have died shortly afterwards. There appears to be in existence no record evidence of the devolution of his estates for many years after his time.[8]

[1] *M. G.*, 17. [2] *Registrum de Dunfermelyn*, Bannatyne Club, 1842, 39. [3] *M. E.*, 14; Nisbet's *Heraldry*, ed. 1804, i. 232. Nisbet had special opportunities of acquiring a knowledge of the Seton pedigree. His father was local agent to the Earls of Winton. (*Fam. of S.*, i. 63.) [4] Her son Alexander de Seton became security for this lady about 1216 (*Liber Sancte Marie de Melros*, Bann. Club, 1837, i. 249). [5] *Reg. de Dunfermelyn*, 100, 101. [6] Winton Inventory, Eglinton Charter-chest. *Vide* also *M. G.*, *note*, p. 91, and *Writers of the Scottish Nation*, by George Mackenzie, M.D., Edinburgh, 1722, ii. 209. The charter is included in Sir James Balfour's collection of abstracts of charters, Brit. Mus., Harleian MSS. 4693, fol. 11*a*. This collection contains notes of many Seton writs, a minute of which was given to Sir James by George, Earl of Winton in 1628, 'for the proof of his antiquity' (Fol. 8*a*). They are printed in *Fam. of S.*, ii. 842, from an unassigned copy left by the late Professor Cosmo Innes. [7] *Reg. de Dunfermelyn*, 101. [8] A decreet of the Court of Session, registered 10 February 1620, gives in their order the names of the alleged ancestors of George, third Earl of Winton (the plaintiff in the case), up to Alex-

'Bartine Seytoun' is said by Maitland to have 'succedit to Alexander, his father';[1] this is possible, though the Seton muniments seem to have contained no evidence of the fact. Sir Robert Douglas, who deposed on 1 December 1769 that he had in his hands and examined 'the whole papers of the family of Winton, when he wrote his book of the *Peerage of Scotland*,'[2] omitted him from the line of succession.[3] But Bertram, son of Alexander de Settone, had a grant from Patrick of Dunbar, Earl of March, of the lands of Richelkellach (Ruchelaw), in East Lothian, which was confirmed by King William the Lion about the year 1201.[4]

Seyer de Seton, son of Dugal, had a charter of an annualrent from the mill and mill lands of Tranent, granted (about the year 1246 according to Sir James Balfour) by Roger de Quincy, Earl of Winchester.[5] He appears to be identical with Serlo[6] de Seton, whose name occurs in several charters[7] along with that of Alexander Cumyn, Earl of Buchan. In 1264 he accounted to the Exchequer for the rents of two-thirds of the Lothian estates of the deceased Roger de Quincy, of which the Earl was in charge, as his attorney.[8] About the year 1260 Serlo de Seton witnessed, along with Alexander[9] his son, a charter granted in favour of the Monastery of Holyrood by Sir Fergus Cumyn, Lord of Gorgyn.[10]

ander's father Philip. It has sometimes been assumed that this judicial proceeding proves each link in the chain, but this is by no means the fact. The decreet merely embodied the summons and the pleadings of the parties, as was customary at that period; and the line of succession was neither proved before the Court, nor accepted or in any way sanctioned by the judges (*Reg. of Acts and Decreets*, cccxxxvii. 352; original process in the case, preserved in H. M. Gen. Reg. Ho.). [1] *M. G.*, 18. [2] *Vide* his deposition in the service of Mrs. Arrat, cited in Abstract of Evidence, service of the Earl of Eglinton to the fourth Earl of Winton, 1840, 14. [3] *Peerage of Scotland*, Edin., 1764, 702; 2nd (Wood's) ed., 1813, ii. 639. [4] Harl. MSS. 4693, fol. 11*a*. [5] *Ibid.*, fol. 10*b*. Cf. *ibid.*, fol. 13*b*; *Fam. of S.*, ii. 842, 843. [6] Cf. *Cal. of Docs.* in France, Rec. ser., i. (1899), 200, 203. [7] *Registrum Vetus de Aberbrothok*, Bann. Club, 1848, 187, 266, 269. [8] *Exch. Rolls*, i. 33. [9] An Alexander de Seton was in the Holy Land with Edward, first-born son of the King of England, in the year 1270 (*Chronica de Mailros*, Bann. Club, 1835, 218). [10] *Liber Cartarum Sancte Crucis*, Bann. Club, 1840, 75-77. In Douglas's *Peerage*, second edition, ii. 186, it is stated that Barbara, daughter of Serlo or Secher de Seton, was married to Sir William (or Robert) de Keith, who died before 1290. In the first edition (1764), the lady is said to have been daughter of Adam, Lord (of) Seton, ancestor of

Alexander de Seton, knight, son of Sir Seyer de Seton, may perhaps have been the representative of Bertram de Seton; for about the year 1271 he granted, for the good of the souls of himself, his wife, and his heirs, a charter in favour of the Abbey of Melrose, of the lands mentioned above as granted to Bertram by the Earl of March, defined as all the land the granter had in the territory of Ruchelau; the boundaries are set forth in the charter.[1]

Sir Alexander de Seton, Lord of Seton, the famous defender of Berwick during the siege of 1333, may have been the son of the last-named Alexander.[2] On 13 March 1328 he was first witness (designate as 'the father')[3] to a charter of confirmation granted by Sir William de Lewyngstoun, knight, of the charter mentioned above as granted by Sir Fergus Cumyn, about the year 1260, in favour of the Monastery of Holyrood.[4] He may have witnessed the confirmation as representative of Serlo and Alexander de Seton, witnesses to the original charter.

A different account of his parentage, derived from old tradition, has hitherto been accepted. Maitland[5] and Douglas[6] show him as grandson, and Nisbet,[7] Crawfurd,[8] Lord Hailes[9] and Wood[10] as son (by Christiana de Brus, sister of King Robert I.) of the gallant Sir Christopher Seton, whom all represent as head of the Scottish family. Nisbet, accept-

the Earl of Winton, a MS. history of the family of Keith being cited as authority (cf. *supra*, vol. vi. 30); but this history seems to have been merely a transcript of '*A Short Relation of the Origin of the Keiths in Scotland*,' Aberdeen, 1700 (Family papers of Sir P. Keith Murray of Ochtertyre). The marriage is also mentioned by Chalmers (*Caledonia*, i. 519); but there seems to be no early authority for it, or for the lady's existence. Master Adam de Seton had a charter from Roger de Quincy, Earl of Winchester and Constable of Scotland, apparently in 1246 (Harl. MSS. 4693 fol. 13*b*); but he appears to have been a churchman. [1] *Liber S. M. de Melros*, i. 199. The identification of the lands is clear. [2] Another theory is that he was descended from a certain Christopher de Seton, who, with Alexander de Seton his son, witnessed a charter favouring the Abbey of Lindores, granted by Roger de Quinci, Earl of Winchester and Constable of Scotland, 17 February 1247 (*Chartulary of Lindores*, Scottish History Society, vol. 42, 180); in which case it is conceivable that later tradition may have confounded his ancestor with the celebrated Sir Christopher Seton executed in 1306, *de quo infra*. [3] *Vide infra*. [4] *Lib. Cart. Sanct. Cruc., loc. cit.* [5] *M. G.*, 16-18. [6] *Peerage*, 1764, 703, 704. [7] *Heraldry*, ed. 1804, i. 232. [8] *Peerage of Scotland*, 1716, 499. [9] *Annals of Scotland*, ed. 1797, iii. 83. [10] Douglas's *Peerage*, 2nd ed., ii. 639.

ing the family tradition on this point, was constrained to hold also that Sir Christopher held estates in England as well as the Seton lands in Scotland;[1] and his authority seems to have influenced later historians of the family. But conclusive evidence, not known to the above-named genealogists, is now available, which proves that Sir Christopher was son of Sir John de Seton, who held the manor of Seton in Whitby Strand, co. York, of William le Latimer, and other lands in Cumberland and Durham in chief of the Crown of England.[2] It is noteworthy that Maitland cites without remark[3] in an 'eik' or *addendum*, a passage from Holinshed's *Chronicle* (which was first published after he had finished his family history), attributing Sir Christopher's execution by order of King Edward I. to the fact that 'he was no Scot, but an Englishman borne.'[4]

It seems probable that the belief in Sir Alexander's descent from Christian Brus may have been partly due to the fact that he surrounded the three crescents of his coat-armorial with the royal tressure; and that this augmentation, which frequently commemorates a maternal royal descent, was ever after borne by his successors.[5] But the sovereigns of Scotland occasionally conferred the right to bear the double tressure on subjects 'who merited well of

[1] *Heraldry, loc. cit.* and i. 231, citing Dugdale's *Baronage*, 1675, i. 338, 736; *Geneal. Coll.*, Adv. Lib. MS. 34.3.5, p. 37. [2] Bain, *Cal. of Docs. relating to Scotland*, Rec. ser., ii. Nos. 1091, 1102, 1690, 1775-76, 1841, 1861, 1910; iii. No. 27; Rhymer's *Fœdera*, first ed., 1704-1735, iii. 489. There is available in different records printed by the Record Commission and the Surtees Society, evidence proving that these lands of Seton were held continuously by the same family, and in all probability from father to son, from early in the thirteenth century until the forfeiture of Sir Christopher in 1306. The Christian names of the successive holders do not correspond with those of the Scottish family. The only lands known to have been held in Scotland by Sir Christopher were in Annandale (*Docs. and Recs., etc.*, ed. by Sir Francis Palgrave, 1837, 302). They probably came to him with his wife. [3] *M. G.*, 20. [4] Holinshed's *Chronicle*, 1577, ii. 842, where Trivet is cited. *Vide Nicolai Triveti Dominicani Annales Sex Regum Angliæ*, Oxford, 1719, 345. [5] The bearing is usually said to appear for the first time on the seal appended to a charter granted by this Sir Alexander in 1337, in favour of the Church of St. Mary, Haddington, described in Laing's *Supplementary Calendar of Scottish Seals*, 1866, No. 891. But the shield shown on the seal No. 890 of *circa* 1230, described *ibid.*, also appears, as depicted by Sir James Balfour, to be surrounded by the royal tressure. *Vide* Harl. MSS. 4693, fol. 23.

their King and country, as a special additament of honour';[1] and Sir Alexander or a predecessor of his may well have been one of the early recipients of the distinction.[2]

Numerous entries containing the name of Alexander de Seton occur in record throughout the first half of the fourteenth century. It cannot be pronounced with certainty that all of them refer to the same individual, but the main features of the career of the Lord of Seton seem clearly established. Alisaundre de Seton, Vallet, del Counte de Edeneburgh, who did homage to King Edward I. on 28 August 1296,[3] was probably the future Governor of Berwick. His lands, which had been in the King's hands,[4] were restored to him on 5 September following.[5] The English occupation of the Lothians continued intermittently for many years, and Alexander de Seton, though certainly a patriotic Scot, seems to have been constrained at times to accept employment in the service of King Edward I. and his successor. He appears to have gone on the King's business towards the Isles with John de Mowbray in 1306, but must have fallen under some suspicion, as a royal order directed that he was to be seized and sent to the King on his return, and that his goods and chattels should be forfeited.[6] On 18 August in the same year, a Mons. Alexandre de Setone put forward a petition for forfeited lands.[7]

Dr. George Mackenzie states that he had seen an indenture dated in 1308,[8] whereby Sir Alexander de Seton, Sir Gilbert Hay and Sir Neil Campbell engaged to defend King Robert's right to the Crown during their lives, and this they swore to do upon the sacrament at Cambuskenneth;[9] but the English officials seem to have had no suspicion of this undertaking.[10] On 20 February 1311-12 Sir Alexander was a juror at an inquisition taken before

[1] Nisbet's *Heraldry*, ed. 1804, i. 180; *Treatise on Heraldry etc.*, Woodward and Burnett, 1892, i. 177 *et seq.* [2] Sir Alexander Dunbar bore the royal tressure between 1286 and 1289 (*Scottish Armorial Seals*, by W. R. Macdonald, Edinburgh, 1904, 97, No. 795; *supra*, vol. iii. 259, 260). [3] *Instrumenta publica super homagiis* 1291-1296, Bann. Club, 1834, 162. [4] *Docs. illustrative of the Hist. of Scotland*, by the Rev. Joseph Stevenson, 1870, ii. 55. [5] *Rotuli Scotiæ*, i. 29*a*. [6] *Fœdera*, ii. 1013. [7] Palgrave's *Docs. and Recs.*, i. 310. [8] Said to be of date 9 September (Collins's *Peerage*, vii. 419). [9] *Writers of the Scot. Nat.*, iii. 210; cf. Macfarlane's transcript of charters of Cambuskenneth, Adv. Lib. MS. 34.1.8, 318. [10] *Cal. of Docs.*, iii. 121.

the English Sheriff of Lothian concerning the value of the lands of several local proprietors who had joined the national party.[1] Sir Thomas Gray asserts that he was in the service of England, and accompanied King Edward II. to Bannockburn; but that on the night before the battle he went over to King Robert I., assured him that the English were demoralised, and guaranteed on pain of suffering a traitor's death that if an attack were made upon them on the morrow, they would easily be overthrown.[2] Between 1315 and 1317 he served in Ireland under Edward Bruce.[3] In the latter year and in 1320 he was sent by King Robert I. on missions to the Court of England.[4] On 19 July 1319 his lands seem to have been nominally in the hands of King Edward II.[5]

Sir Alexander was one of the signatories of the letter asserting the independence of the kingdom which the Barons of Scotland addressed to Pope John XXII. on 6 April 1320.[6] He is said to have received from King Robert I. a coat of augmentation, viz. *gules*, a sword supporting an imperial crown, to perpetuate 'the memory of his own and progenitors' worthy actions for their King and country.'[7] His services were more substantially rewarded by Crown grants of large estates. He had charters of the superiority[8] of the lands of Elphinstone, of the commonty of Travernent which was the Earl of Buchan's, of a tenement in Aberdeen, of the lands of Barnes (said to have been granted along with the above-mentioned coat of augmentation),[9] of Gogar, of the superiority of Dundas, Westercraigs and part of Queensferry, of the barony of Travernent which William Ferraris forfeited, of the lands of Fausyde which Alan La Suche forfeited, of the lands of Mylyis which the Earl of Buchan forfeited; and a charter of confirmation of the lands of Hal-

[1] *Cal. of Docs.*, 245. [2] *Scalacronica*, Maitland Club, 1836, 142. Sir Herbert Maxwell, in a note to his translation of the *Scalacronica*, points out that Sir Thomas Gray probably derived his information direct from his father, who on the eve of the Battle of Bannockburn was a prisoner in the Scottish camp (*Scottish Historical Review*, iii. 460 *note*). [3] Charter dated 26 May 1319, printed in *Writers of the Scot. Nat.* iii. 211. [4] *Fœdera*, iii. 683, 809. [5] *Ibid.*, 123. [6] *Liber Pluscardensis*, *Historians of Scotland*, vii. 202. His seal is still appended to the duplicate preserved in H. M. Gen. Reg. Ho. [7] Nisbet's *Heraldry*, ed. 1804, i. 233. [8] Fraser's *Elphinstone Family Book*, priv. printed, Edinburgh, 1897, i. pp. xiii, xiv. [9] *Science of Heraldry etc.*, by Sir George Mackenzie of Rosehaugh, Knight, Edin. 1680, 3.

sington, co. Berwick.[1] He had also charters of the lands in Travernent and husband-lands in Nodref which pertained to the deceased Alan La Suche,[2] of lands in Nidriffe in the barony of Winchburgh,[3] of the lands of Hertsheved,[4] and in 1328, charter of resignation of the barony of Lambyngston, co. Lanark.[5] He had charters of the lands and town of Seaton in ane burgh of barony, and of the lands and barony of Seatoun erected into a free barony;[6] and grants of liberty of market on every Lord's day after Mass,[7] of the town of Seton in free burgage with all liberties etc.,[8] and of the lands of Setone in free warren and forest for ever.[9] He had the town of Berwick in feu-farm before January 1327-28, when he was appointed Governor of the town, the Earl of March being Governor of the castle;[10] and he was for a time Steward of the Household of David, Earl of Carrick, Prince of Scotland.[11]

Between 1326[12] and 1332, Sir Alexander is often found designate as 'the father';[13] his son of the same name had doubtless grown up and been knighted before the former year. He is designate 'Sir Alexander de Seton the father, Lord of that Ilk,' in a charter granted by Alanus de Hertesheued,[14] attributed to a date anterior to the year 1328.

He remained in command of the town of Berwick until the siege by King Edward III. was drawing to a close; but he seems to have been superseded by Sir William Keith,[15] a few days before the place was surrendered between 19 and 22 July 1333.[16] He is said to have seen from the walls the execution by the English of his son Thomas, a hostage in their hands for the conditional surrender of the town, whose life, they alleged, was forfeited by reason of the non-fulfilment of that engagement.[17] On 15 December 1333 King Edward III. addressed to Sir Alexander (as *dilectus et fidelis*), along with others, inquiries as to the value of the

[1] Robertson's *Index of Missing Charters*, 11, 15, 16, 21, 22, 27. [2] *Reg. Mag. Sig.*, fol. vol., 11, No. 56. [3] Harl. MSS. 4693, fol. 7. [4] *Ibid.*, 13*a*. [5] Harl. MSS., fol. 14*a*; *Gen. Coll.* i. 123, cited by Riddell; *Exch. Rolls*, i. 206. [6] Robertson's *Index*, 21, 27. [7] *Ibid.*; Mackenzie's *Writers of the Scot. Nat.*, iii. 211. [8] Earl of Haddington's *Coll.*, Adv. Lib., 29, 83. [9] Harl. MSS. 4693, 11*b*. [10] *Exch. Rolls*, i. 64, 451. [11] *Ibid.*, 141. [12] *Lib. S. M. de Melros*, ii. 454. [13] *E.g. Exch. Rolls*, i. 113. [14] Orig. preserved in H. M. Gen. Reg. Ho., No. 98. [15] Hailes' *Annals*, ed. 1797, App. xiii. vol. iii. 104. [16] *Fœdera*, iv. 568. [17] Fordun, *Gesta Annalia*, cxlix., *Historians of Scotland*, i. 366, 367.

castle, town and county of Berwick.[1] His lands had been forfeited by Edward Baliol after the battle of Dupplin,[2] but he was one of the few that attended the Parliament held by that Prince at Edinburgh 10 February 1333-34,[3] and he was one of the signatories of the deed of cession of Berwick.[4] In 1340 he was commissioned, with some others, to go on state affairs to England, where he was afterwards detained for a time as a hostage.[5]

Sir Alexander de Setoun, Lord of that Ilk, was one of the Lords Auditors of Causes and Complaints in 1341.[6] He joined the order of St. John of Jerusalem, apparently not long after that year. He must then have been expected to denude himself of his estates, in accordance with the rule of the order.[7] He doubtless handed them over to his next heir; but he was still styled *Dominus ejusdem* in 1345, when, as Master of Torphichen, he granted a charter to William de Meldrum.[8] He had been appointed to the charge of the House of Torphichen by the Grand Master at Rhodes.[9] On 6 February 1346-47 he obtained an indult from Pope Clement VI. permitting him to choose a confessor, etc.[10] On 12 August 1348 he had a safe-conduct to enable him to visit King David II. in the Tower of London, on business,[11] which doubtless related to arrangements for the King's ransom. He seems to have died shortly afterwards.

Sir Alexander is said to have married Christian Cheyne,[12] daughter of the Laird of Straloch, and to have had by her four sons:[13]—

1. *Thomas*, who was hanged by order of King Edward III. when a hostage in his hands during the siege of Berwick in 1333.[14]
2. *William*, who was drowned in the Tweed while

[1] *Rot. Scot.*, i. 260*b*. [2] *Cal. of Docs.*, iii. 224, 333, 337; *Rot. Scot.*, i. 692*b*. [3] *Acta Parl. Scot.*, i. 542*b*. [4] *Fœdera*, iv. 595. [5] *Rot. Scot.*, i. 599. [6] *Liber Ecclesie de Scon*, Bann. Club, 1843, 125; orig. precept preserved in H. M. Gen. Reg. Ho., No. 108. [7] Dugdale's *Monasticon*, ed. 1661, ii. 493. [8] Printed from the orig. at Fyvie Castle in *Coll. for Hist. of Aberdeen and Banff*, Spalding Club, 1843, 318. [9] *Reg. de Dunfermelyn*, 196; *Cal. Papal Letters*, Rec. ser., iii. 94. [10] *Cal. of Papal Reg.*, *Regesta*, 1342-1362, Rec. ser., 194. [11] *Rot. Scot.*, i. 722. [12] *M. G.*, 23. [13] *Ibid.*, 24. They are here entered in the order given by Maitland, but possibly Alexander was the eldest son. [14] Fordun, *Gesta Annalia*, cxlix, *Historians of Scotland*, i. 356, 357; *Liber Pluscardensis*, lib. ix. cap. xxviii, *ibid.*, vii. 269; *Scalacronica*, Maitland Club, 1836, 163.

engaged in setting fire to some of the enemy's ships at the same siege.[1]

3. *Alexander*, who appears to have been knighted. He was probably the Sir Alexander de Seton who was sent on a mission to Newcastle-on-Tyne in 1323, and styled by King Robert I. his 'bachelor.'[2] He was killed at Kinghorn in Fife, shortly after Edward Baliol's landing there on 6 August 1332.[3] The designation 'Sir Alexander the father' never appears after that date.[4]

4. *Sir John*, who died *vitâ patris* after 1327,[5] leaving issue:[6]—

(1) *Alexander* (or Sir Alexander), who married Margaret de Ruthven, apparently in 1346. On Easter Sunday, 16 April in that year, at Roxburgh, Sir William Douglas of Liddesdale engaged to make certain payments to Sir Alexander de Seton, Knight, Lord of that Ilk, in consideration of the marriage of Alexander de Setoun, son of the deceased Sir John de Setoun, Knight, heir of the said Sir Alexander, with Margaret, daughter of the deceased Sir William de Ruthven.[7] Alexander de Seton seems to have died *s.p.*

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[1] Fordun, *loc. cit.*; *Lib. Plusc.*, *Historians of Scotland*, vii. 268. [2] *Cal. of Docs.*, iii. Nos. 767, 807, 809. [3] Various readings in MSS. of Fordun are accountable for the three versions of this casualty set forth by different authors, viz. that (1) the father, (2) the son, (3) both father and son, fell at Kinghorn. Goodall, who is said to have followed the best texts of the chronicler to be found in Scotland, printed 'Alexander de Seton *filius*' (*Scotichronicon*, 1759, ii. 304). The learned editor of Fordun for the Scottish History series (who examined twenty-one different MSS.), printed 'Alexander de Seton' only. He cites the Cottonian MS. as reading 'A. de S. *filius*,' and only one MS., viz. Gale's, now at Trin. Coll., Cambridge (which was followed by Hearn), as reading 'A. de S. *et filius*' (*Historians of Scotland*, i. xv-xxix, 354, *note* 12). Wyntoun does not particularise, he merely says 'A. de S. . . . slayne wes he' (*Orygynale Cronykil of Scotland*, Bk. viii. chap. xxvi., *ibid.* iii. 384). But the evidence of Sir Thomas Gray, who wrote some twenty-five years after the event, seems conclusive; his words are, 'fut tuez A. de S. le fitz' (*Scalacronica*, 119). [4] Nisbet, who followed Maitland in believing that Sir Alexander the son succeeded his father, states on the authority of an old genealogical tree formerly at Seton (and now in the possession of Sir Alan Seton-Stewart of Allanton and Touch), that he married Margaret Murray, sister of William Murray, Captain of the Castle of Edinburgh (Nisbet's *Geneal. Coll.*, Adv. Lib. MS. 34.3.5, p. 39). [5] Dunbar writs. [6] According to Maitland (*M. G.*, 24), John, the fourth son, married Elizabeth Ramsay, daughter and heir of Sir Neil Ramsay, Knight, and was by her ancestor of the family of Seton of Parbroath, co. Fife; but of this there appears to be no record evidence extant; and the course of the succession to the Seton estates seems irreconcilable with the statement. [7] *Registrum Honoris de Morton*, Bann. Club, 1853, ii. 49. There is a charter of confirmation, ascribed to about the year 1359, in favour of

soon after his marriage, and may perhaps have been one of the many Scottish gentlemen who fell at the battle of Durham, 17 October 1346.

MARGARET, Lady of Seton, presumably sister (or possibly first cousin) of Alexander de Seton, the husband of Margaret de Ruthven, and granddaughter of the ex-Governor of Berwick, was married, apparently in or after 1347, to Alan de Wyntoun,[1] who may perhaps have been a distant kinsman of her own.[2] Andrew de Wyntoun tells of the abduction in that year of the young lady of Seton by Alan de Wyntoun (whom some have supposed his own relative[3]), and gives a circumstantial account of what followed. He relates that 'for that maryage fell gret stryffe'; that 'Wyntoun's war,' as it was called, was such that

'in Lowthyane as men sayde
Ma than a hundyr plwys war layde';

and adds that William of Murray in Edinburgh Castle heartily supported and aided the aggressor.[4] Bower, writing perhaps forty years later, follows Wyntoun (except that he gives a different and much less probable date for the affair), and adds that Alan de Wyntoun was brought before the King's Court, at the instance of the young lady's relatives, to answer for forcible abduction; that the fate of the convicted culprit was left to her decision, a sword and a ring being presented for her choice; and that she chose the latter, after which the marriage took

Margaret de Seton, spouse of the deceased Sir Alexander de Seton, Knight, of her jointure (*dotis*) from the lands of Lambynton, co. Lanark (*Haddington Collection*, Adv. Lib. The corresponding entry in Robertson's *Index of Missing Charters*, viz. No. 39, p. 62, substitutes *filie quondam Alexandri*, for *sponse*, etc. But this seems to be an error; Lord Haddington's transcript is of the greater authority). The grantee may have been Margaret de Ruthven; at that period the custom of designating married women by their maiden names in legal documents was not yet fully established in Scotland. [1] *Cal. of Docs.*, iii. 337. [2] His lands had been held for at least three generations by the main line of the Setons in the twelfth and thirteenth centuries, as shown above, and may at some subsequent time have formed the provision for a younger son. [3] *Dict. Nat. Biog.*, lxiii. 266. [4] *Orygynale Cronykil*, Bk. viii. chap. xli.; *Historians of Scotland*, iii. 479. If Murray abetted De Wyntoun, the heiress can hardly have been, as some have held, daughter of the marriage between his own sister Margaret and Sir Alexander Seton 'the son,' which is mentioned above as recorded in the old Seton family pedigree.

place.[1] Her husband assumed the cross, apparently while still a young man, owing (according to Bower) to intrigues against him on the part of her relations, and died in the Holy Land.[2]

The issue of this marriage was:—

1. WILLIAM, of whom below.[3]
2. *Margaret*[4] (or Christiana), who is supposed to have been married to George, tenth Earl of Dunbar.[5]

WILLIAM DE SETON is designed Lord of that Ilk and of Tranent in a charter whereby he granted the lands of Wester Fausyde to John de Fausyde, his esquire.[6] He seems to have granted certain lands in Longniddrie to John Maitland and John de Paynston by charter confirmed by King Robert II. 18 January 1380-81.[7] He was a distinguished soldier, and like his father he took part in the holy war,[8] it is said before 1383;[9] he seems to have served with the Scottish force which raided the north of England in that year.[10] He styled himself 'Baron, lord of Seton' in a petition to the Pope which was granted 27 October 1394,[11] but is designed Knight in a charter of the lands of Borde granted by him in favour of Patrick Fleming, dated 14 May 1402.[12] It would seem that he was taken prisoner by the English at the battle of Homildon Hill 14 September 1402,[13] and he may perhaps have remained unransomed for some years, as one William Seton was in captivity in the Tower along with the King of Scotland's son in 1406.[14] A charter of confirmation was granted at Perth, 27 March 1408, by Robert, Duke of Albany,

[1] *Historians of Scotland*, iii. 479; *Scotichronicon*, lib. xiii. cap. li., Goodall's ed., 1759, ii. 337. [2] *Ibid.*; *Orygynale Cronykil, loc. cit.* [3] *Scotichronicon, loc. cit.* Bower avers that he well knew this William, and also his son, grandson and great-grandson, of whom later (*footnote*, *ibid.*, citing *Liber Cuprensis*). [4] *Ibid.* [5] Douglas's *Peerage*, second ed., ii. 641; cf. *supra*, vol. iii. 273. [6] This charter is assigned to a date in or after 1367. It was confirmed by King Robert II. 20 June 1371 (*Reg. Mag. Sig.*, fol. vol. p. 97, No. 9). [7] *Ibid.*, p. 143, No. 83. [8] *Scotichronicon*, *n. loc. cit.* [9] *An Old Family, etc.*, by Monsignor Seton, New York, 1899, 46. [10] *Chronicles*, by Sir John Froissart, Johnes's translation, ed. 1839, ii. 20. [11] *Cal. of Papal Reg.*, *Petitions*, 1342-1419, Rec. ser., p. 590. [12] Wigton Charter-chest; copy in H.M. Gen. Reg. Ho. [13] *Cal. of Docs.*, iv. 403. It has been stated that it was his son, Sir John, that was taken prisoner (*Fam. of S.*, i. 98). The words of the authority are 'le Sire de Seton.' [14] *Cal. of Docs.*, iv. No. 727.

Governor of the Kingdom, ratifying the grant of an annualrent made by William de Seton, Knight, with consent of the Duke's beloved cousin, John de Seton, Knight, his son and heir, to Walter de Haliburton of Dirleton, in consideration of the transfer to the said William of the gift of the ward and marriage of Elizabeth de Gordon, daughter and heir of the deceased Adam Gordon, Knight.[1] Sir William died before March 1409-10,[2] and was buried 'in the Cordelere (Franciscan) freiris at Haddington,' to which community he had made certain benefactions.[3]

Maitland states that this William 'was the first creatit and maid Lord in the parliament; and he and his posterité to have ane voce thairin and be callit Lordis.'[4] Various arguments have been adduced in support of this assertion;[5] but the data founded upon are in part erroneous, the arguments are inconclusive, and the claim cannot be admitted.[6]

There is some indication that Sir William was twice married; if so, the name of his first wife is unknown, but Jonet Fleming, elder daughter of Sir David Fleming of Biggar, was the mother of his second son.[7] He had issue:[8]—

1. JOHN, of whom below.
2. *Alexander*, to whom his father, in the year 1408, gave in marriage Elizabeth, daughter and heir of the deceased Sir Adam Gordon, Knight, Lord of Gordon, of whose ward and marriage he had a gift.[9] On 20 July 1408 the spouses had a charter of the lands of the bride's late father in Berwickshire and Aberdeen-

[1] *Reg. Mag. Sig.*, fol. vol., p. 232, No. 25. [2] Harl. MSS., 4693, fol. 8*b*. [3] *M. G.*, 28. [4] *Ibid.*, 27. [5] *Fam. of S.*, i. 92. [6] The learned Sir Thomas Hope of Craighall, Lord Advocate under King Charles I., wrote as follows in a memorandum on the affinity of his family with the house of Seton, copied by his son in 1641:—'I find ane charter in the yeire 1410 grantit be Robert Duike of Albaine to Jhon Seatoune, Knight . . . qlk makes that they were not Lordis at this time' (MS. *penes* the Marquess of Linlithgow). The charter Sir Thomas refers to was dated 14 March 1410-11, *vide* Harl. MSS. 4693, fol. 13*b*. [7] *Registrum de Panmure*, Edinburgh, 1874, ii. 230; charter in the Wigton Charter-chest, dated 14 May 1402, *supra cit.*; *Reg. Mag. Sig.*, 24 August 1373; *supra*, vol. ii. 223. [8] *M. G.*, 27. Maitland says that their mother was Katharine Sinclare, daughter of the house of Herdmanston; but this is proved to be erroneous in the case of Alexander, and is probably equally so as regards John, unless father and son married ladies belonging to the same family, and of the same Christian name; *vide infra*. [9] *Vide supra*.

shire.[1] Of this marriage are descended the Earls and Marquesses of Huntly and Dukes of Gordon, the Earls of Sutherland after the year 1500 (*see titles* Huntly *and* Sutherland), the Setons of Meldrum, Touch, Abercorn, Pitmedden and Mounie, and the Gordons of Gight, Letterfourie, Cluny, and many others.[2]

3 *Janet*, who was married, before 3 March 1413-14, to George Dunbar, styled son and apparent heir to George, Earl of March.[3]

Maitland credits Sir William with six other daughters, and gives the traditional account of their marriages,[4] which seems to be unconfirmed by record evidence, and his account is proved erroneous in two instances.

Sir John Seton (or De Seton), the eldest son, was in 1407 a hostage in the hands of the English for the return to captivity of Archibald, fourth Earl of Douglas.[5] He is described by Bower as '*miles acerrimus, et Anglis, dum vixerat, infestus.*'[6] On 24 March 1410-11 he had from Robert, Duke of Albany, Governor of Scotland, a charter of confirmation of the baronies of Seton and Tranent, and the lands of Winchburgh.[7] He was one of the Scottish Commissioners appointed to treat for the liberation of King James I.,[8] and he, or alternatively his son and heir, was afterwards nominated a hostage for the payment of the King's ransom, by the treaty of 4 December 1423. His annual income was then estimated at six hundred merks.[9] He was appointed one of the conservators of the seven years' truce concluded 28 March 1424.[10] He died before 1434, as Seton was in ward that year.[11]

He married, before 8 March 1392-93, Catherine de Sanct Clar,[12] said to have been daughter of Sir William Sinclair

[1] *Reg. Mag. Sig.*, fol. vol., p. 235, No. 32. [2] *Fam. of S.*, i. 97. Elaborate accounts of the various cadet families of Seton will be found in the appendix to that work. [3] An abstract of the discharge granted by the said George for her tocher of three hundred merks Scots, to John, Lord Settone (*sic*), her brother, is given in Harl. MSS. 4693, fol. 8*b*. This marriage is not in Maitland's list; and that of a Seton lady to Sir Alan Stewart of Darnley, which he includes, will be found *infra* two generations later. [4] *M. G.*, 28. Nisbet, citing the family tree mentioned above, gives the same marriages, and the ladies' Christian names (Adv. Lib. MS. 34.3.5). [5] *Cal. of Docs.*, iv. 729, 736. [6] *Scotichronicon*, Goodall's ed., 1759, ii. 337 *n.*, citing *Liber Cuprensis*. [7] Harl. MSS., 4693 fol. 13*b*. [8] *Fœdera*, x. 266. [9] *Ibid.*, 308. [10] *Ibid.*, 332. [11] *Exch. Rolls*, iv. 598. [12] Harl. MSS., 4693 fol. 9*b*.

of Herdmanston.[1] She survived her husband, and on 28 March 1450 had confirmation of a charter granted in her favour on 20 June 1449, by George, Lord of Seton and Langniddrie, Knight, grandson of her late husband.[2]

Sir John had issue:—

1. Sir William, of whom below.

He is said to have had also two daughters:—

2. *Christian de Seton*, a noble lady of the diocese of St. Andrews, who had from Pope Benedict XIII., 2 September 1416, dispensation to marry Norman Leslie (of Rothes),[3] notwithstanding consanguinity, fourth degree.[4]
3. *Janet*, who was married to Robert, Master of Keith.[5]

William de Setoun, son and heir of John de Setoun, lord of that Ilk, was witness to a charter granted 2 December 1423 by Archibald, Earl of Wigtoun, which was confirmed by King James I. 8 January 1424-25.[6] He seems to have been knighted. He is described as of lofty stature and powerful build, as were also his father and grandfather. He was killed *vitâ patris* at the battle of Verneuil,[7] fighting on the side of the French against the English, 17 August 1424.

He married a lady whose Christian name was Janet. It seems possible that she may have been a daughter of George, tenth Earl of Dunbar, and third (or fifth) Earl of March.[8]

[1] This lady has hitherto been represented, on Maitland's authority (*M. G.*, 27), as the wife of Sir William, her husband's father. [2] *Reg. Mag. Sig.* The first witness to this charter was Johannes de Sancto Claro de Hirmandstoun, *armiger*. The lady is styled *Domina* Katerina de Setoun, relict, etc., but in 1450 it was not yet the invariable rule for a married woman to be called by her maiden name in Scottish documents. [3] *Hist. Recs. of the Family of Leslie*, Edin., 1869, ii. 15. [4] *Geneal. Hist. of the Stewarts*, by Andrew Stewart, 1798, p. 442. The year is there erroneously given as 1415. [5] *Supra*, vol. vi. 40. 'Alleged married to the house of Marshall' (Sir Thomas Hope's memorandum *supra cit.*). [6] *Reg. Mag. Sig.* [7] *Scotichronicon, loc. supra cit.* [8] Nisbet, like Maitland, says that John, 'second Lord Seton' (*i.e.* the father of this William) married Janet, daughter of George, Earl of March (Extract from Adv. Lib. MS. 34.6.12, which is a copy by Milne of Nisbet's original, 34.3.5, printed in *M.E.*, ix.; *ibid.*, 27, 28); and the late Mr. George Seton, the author of the *History of the Family of Seton*, attributed the frequent occurrence of the Christian name of George among his ancestors to that traditional alliance (*Fam. of S.*, i. 52). But in reality Sir John de Seton married Catharine de Sanct Clar; the name of George

She seems to have been married, secondly, after 1433,[1] to Adam Johnston of that Ilk.[2] By her[3] Sir William had issue:—

1. George, of whom below.

He is said to have had also two daughters:—

2. *Catherine*, married, first, about the year 1429,[4] to Sir Alan Stewart of Darnley,[5] whom she survived. She was married, secondly, to Herbert, first Lord Maxwell of Caerlaverock, whom also she survived.[6] She was alive 19 July 1468,[7] and died before 7 February 1477-78.[8]
3. *Janet*, married, first, to John, first Lord Halyburton;[9] secondly, to Edward Congaltoun, second son[10] of John Congaltoun of that Ilk.[11] She was alive in 1492-93.[12]

I. Sir George de Seton, Knight, eldest son of William de Seton, is mentioned with his mother in an Exchequer account for 1433.[13] He was under age in 1437, when the Chancellor Crichton held his lands in ward,[14] but appears to have attained his majority before 2 November in that year, when he granted a charter of a toft in Tranent.[15] He seems to have been created a Lord of Parliament in 1445.[16] He accompanied the embassy of which Lord Crichton was head to Flanders, France and Burgundy in 1448,[17] and his name was included in the safe-conduct granted to the party to pass through England, 23 April of that year.[18]

first appears in the person of the son of this William by the unidentified Janet; and there are no chronological objections to her parentage having been that suggested in the text. [1] Cf. *supra*, vol. i. 236. [2] *M. G.*, 32; Fraser's *Annandale Family Book*, priv. printed, Edin., 1894, i. pp. xv, xvi. [3] *Exch. Rolls*, iv. 602. [4] *Stuarts of Aubigny*, by Lady Elizabeth Cust, London, 1891, 23. [5] *Hist. and Geneal. Acc. of the Royal Family of Scotland*, by Duncan Stewart, ed. 1729, 152. [6] *Reg. Mag. Sig.*, 12 January 1475-76; Fraser's *Book of Caerlaverock*, priv. printed, Edin. 1873, i. 139. [7] Inst. of resig. by Domina Katerina de Setoun, Domina de Dernle et de Maxuele, printed in Fraser's *Memoirs of the Maxwells of Pollok*, priv. printed, Edin., 1863, i. 181. [8] *Book of Caerlaverock*, i. 149. [9] *Supra*, vol. iv. 335; Douglas's *Peerage*, 1764, 705. [10] Inventory of Writs of Congaltoun in Colstoun Charter-chest; Douglas's *Baronage*, 521. [11] Gen. Reg. Ho. Charter, No. 375*b*; *Acta Dom. Conc.*, 249. [12] *Ibid.*, 293. [13] *Exch. Rolls*, iv. 602. [14] *Ibid.*, v. 62, 63. [15] Winton Chartulary, MS. *penes* F. C. B. Cadell, Esq., fol. 98. [16] *Scotichronicon, Abbreviatio*, ed. Goodall, 1759, ii. 543. [17] *Exch. Rolls*, v. 383. [18] *Fœdera*, xi. 213. He is here styled Georgius Dominus de Seton.

In 1451 a charter was confirmed whereby GEORGE, LORD SETOUNE granted the lands of Wintoun to Sir William Crichton, Chancellor of Scotland, in return for his counsel and help, etc.[1] He first appears in Parliament as Lord Seton, 14 June 1452.[2] He had a seat in the Council of King James II. at Dunfermline 11 July 1458.[3] He was one of the assize on Robert, first Lord Boyd, and Thomas, Earl of Arran, his son, 22 November 1469; they were found guilty of treason, and Sir Alexander Boyd was condemned to death for the seizure of King James III. at Linlithgow on 9 July 1466.[4] Lord Seton had an English safe-conduct, 16 March 1472, as one of the ambassadors and commissioners of the King of Scots, and again 21 April 1473.[5] He was alive 15 July 1478.[6] He is said by Maitland to have been 'ane grit houshalder, and all gevin to nobilnes'; to have built the 'queir of Seytoun'; and to have died 'of guid age, in the place of the Blak freiris of Edinburgh, quhair he lyis in the queir of the samin.'[7]

George, first Lord Seton married first, before 1436, Margaret, only daughter of John, Earl of Buchan, Constable of France, second son of Robert, Duke of Albany. On 8 January 1436-37 a mandate was addressed by Pope Eugenius IV. to the Bishop of Whiteherne, to absolve the spouses from excommunication, to grant a dispensation for the unlawful marriage which they had already contracted although aware that they were related in the double third degree of kindred, and to declare their children legitimate.[8] The Setons descended of this marriage long quartered the garbs of Comyn with their ancestral crescents, as heraldic heirs of John, Earl of Buchan.[9] Lord Seton had by Margaret Stewart a son:—

1. JOHN, of whom below.[10]

Lord Seton married, secondly, before 8 January 1458-59,[11] Christian Murray,[12] said to have been a daughter of the Laird of Tullibardine.[13] By her he had a daughter:—

[1] *Reg. Mag. Sig.*, 1424-1513, No. 432. Date of charter missing. [2] *Acta Parl. Scot.*, ii. 74*b*. [3] *Reg. de Dunfermelyn*, 348. [4] *Acta Parl. Scot.*, ii. 186*b*. [5] *Fœdera*, xi. 749, 775. [6] *Reg. Mag. Sig.*, 26 January 1478-79. [7] *M. G.*, 32, 34. [8] *Cal. of Papal Reg.* Papal letters, A.D. 1427-1447, Rec. ser., 592. [9] *Fam. of S.*, i. 102. [10] Maitland says there was a second son, Dougall, who died without issue (*M. G.*, 33). [11] *Reg. Mag. Sig.* [12] *Ibid.*, 14 May 1473. [13] *M. G.*, 34; cf. *supra*, vol. i. 461.

2. *Christian*, who was married before 15 July 1478, to Hugh Douglas of Borg;[1] 'to the quhilk Hew,' says Maitland, 'the said Christian cast sic favour that sche wald marye none vther bot him, swa that it micht pleis hir fader.'[2]

JOHN, MASTER OF SETON, married Christian Lindsay, daughter of (John, first) Lord Lindsay of the Byres.[3] The couple being related in the third and third degrees of consanguinity, a commission to grant dispensation for their marriage was given by Pope Pius II. to the Bishop of St. Andrews 20 January 1458-59.[4] The Master predeceased his father, and was buried in the parish church of Seton.[5] His wife survived him, and was married secondly, before 19 July 1476, to Robert Cunningham, son and heir-apparent of Alexander, first Lord Kilmaurs, afterwards created Earl of Glencairn.[6] She died before 11 March 1496.[7] By her[8] the Master of Seton had three sons:[9]—

1. GEORGE, of whom below.
2. *John*. He witnessed an indenture dated at Seton 7 April 1491, being therein designed brother-german of George, Lord Seton.[10]
3. *Alexander*. He witnessed a document on 20 November 1501, designed as brother-german of George, Lord Seton.[11]

[1] *Reg. Mag. Sig.*, 26 January 1478-79; cf. *ibid.*, 8 January 1458-59. [2] *M. G.*, 33. [3] *Ibid.* [4] *Reg. Lateran*, DXXXVIII. fol. 236; MS. transcript in Gen. Reg. Ho. [5] *M. G.*, 34. [6] *Ibid.*; *Acta Dom. Aud.* (Rec. Pub. 1839), 54, 167. [7] Harl. MSS. 4693, fol. 14*b*. [8] *M. G.*, 33. [9] Maitland states that he had also a daughter, who was married to Robert, Lord Lyle (*M. G.*, 33); but there is no other evidence of the lady's existence or for the marriage in question (*vide supra*, vol. v. 554). [10] Harl. MSS. 4693, fol. 9*a*. Maitland says that John had a son, Archibald, who again had three sons, George, Archibald ('ane maister clerk'), and James (*M. G.*, 33). Sir Thomas Hope states in the memorandum *penes* the Marquess of Linlithgow, mentioned above, that this John forcibly carried off the daughter of a burgess named Little, 'being of ane excellent personage and bewtie,' who was the mother of his children; and that his eldest son Archibald followed his father's example, and carried off a daughter of Lord Livingstoun, by whom he had a son, George. He adds that this George was the father of Euphame Seton, who was married to Robert Bennett, town-clerk of Musselburgh, and was by him mother of Elizabeth Bennett, Sir Thomas's wife. [11] Winton Chartulary *supra cit.*, fol. 103. Maitland states that Alexander was the father of several sons (only one of whom, John, a bailie of Tranent, left issue), besides a daughter, Christian, who was

4. *Margaret*, married to Robert, second Lord Lyle, and had issue a son named *George*.[1]

II. George, second Lord Seton succeeded his grandfather. He had sasine of several of the family properties in 1480, 1481 and 1483.[2] He was served heir to his grandfather in certain lands in Perthshire 25 June 1482, and to Dame Christiana de Lindsay, his mother, in the dominical lands of Winchburgh, 11 March 1496.[3] On 3 July 1480 he signed a band of friendship with Sir Oliver Sinclair of Rosslyn.[4] On 22 December 1492 Pope Alexander vi. sanctioned the erection of the Church of Seton into a Collegiate Church.[5] On 20 June 1493 Lord Seton carried out the scheme; the establishment consisted of a Provost, six Prebendaries, two singing boys, and a clerk. Several chaplainries were united in order to provide the necessary income.[6] The relative charter was afterwards confirmed by Andrew, Abbot of Newbattle, delegate of the Apostolic See.[7] Lord Seton had licence to leave the kingdom, with protection from legal process to himself and his dependants for three years and forty days, 6 October 1498.[8] On 22 January following he purchased for £500 from King James iv. a ship of war named the *Eagle*, 'with all stuff, artilzery and abilzementis, tow and takill being in her.'[9] Maitland states that he manned her with a strong crew of fighting men, kept her at sea for a long time, and 'gat sindry revengis' on the Dunkirkers, some of whom had intercepted and plundered him when on a voyage to France; and adds that he was obliged to mortgage some of his lands to meet the resulting expenditure.[10] He was nominated a conservator of the seven years' truce with England, concluded by the treaty of 30 September 1497,[11] and again of the treaty of peace concluded 12 July 1499.[12] On 14 July 1503 he had a

married to Thomas Preston of Whitehill, now Newhailes (*M. G.*, 33, 34; cf. *supra*, vol. iii. 119). [1] *Acta Dom. Conc.*, xviii. pt. ii. 66. [2] *Exch. Rolls*, vii. 680, 682. [3] Harl. mss. 4693, fol. 14*b*. [4] Printed in the *Genealogie of the Saintclaires of Rosslyn*, by Father Richard Hay, Edin., 1835, 110. [5] Orig. mandate in Coll. of Papal Deeds, Adv. Lib. ms. 15.1.19, No. 15. [6] The erection and establishment had been conditionally sanctioned by Pope Paul ii., by bull dated 13 April 1470, in compliance with a petition from George, first Lord Seton (Winton Inventory). [7] Keith's *Catalogue of Bishops*, ed. 1755, 288. [8] *Reg. Privy Seal, Scot.*, Rec. ser., i. No. 264. [9] *Ibid.*, No. 323. [10] *M. G.*, 35. [11] *Fœdera*, xii. 676. [12] *Ibid.*, 726.

Crown charter of one-third of the lands of Binning.[1] Maitland says that he was much given to letters; that he studied at St. Andrews and Paris after his marriage, and was cunning in divers sciences, as in astrology,[2] music, and theology; and that he took great pleasure in the society of learned and skilful men. He adds that he built a house at Winton, and a sacristy at the church of Seton, in the choir of which he was buried after 11 June 1507[3] and before 6 April 1508.[4]

George, second Lord Seton married Marion (or Margaret), eldest daughter of Colin, first Earl of Argyll. On 14 September 1469 an indenture was executed between the said Earl and George, (first) Lord Seton, whereby the former took burden for his daughter Marion, of the age of twelve years; and in case of her decease before the celebration of the marriage arranged, he bound himself to give in marriage his second daughter Helena, and with her one thousand merks of tocher.[5] The issue of this marriage[6] was:—

1. George, of whom below.
2. *Robert*, who took military service in France, and died in the castle of Milan, having had two sons:—
   (1) *William*, a man-at-arms in France.
   (2) *Alexander*, who married Jonet Sinclair, heiress of Northrig, and founded a cadet family, which seems to have endured for several generations.[7]
3. *John*, who died *s.p.*
4. *Margaret* (or Martha), who was married to William Maitland of Lethington, and became the mother of Sir Richard Maitland, the family chronicler of the house of Seton.[8]
5. *Katherine*, who took the veil. She was for forty-two years a nun in the convent of St. Catherine of Siena,

[1] *Reg. Mag. Sig.* [2] '*Vocatus necromanticus*,' *circa* 1604 (Harl. MSS. 1423, fol. 61). [3] *M. G.*, 35, 37. [4] *Reg. Mag. Sig.* [5] Harl. MSS. 4693, fol. 9*a*. [6] *M. G.*, 36. Lord Seton had also many illegitimate children, of whom Maitland mentions *William*; *James*, who had a precept of legitimation 14 May 1500 (*Reg. Privy Seal, Scot.*, i. No. 525); Mr. *Christell*, a churchman; and *Thomas*, a familiar servant to King James IV. (cf. *Treasurer's Accounts*, iv. 253, under date 1511). Thomas's male issue became extinct in the second generation. Maitland also enumerates four illegitimate daughters. [7] For the Setons of Northrig, *vide Fam. of S.*, i. 538 *et seq.* [8] *Supra*, vol. v. 291.

near Edinburgh, where she died at the age of seventy-eight years.[1]

III. George Seton, who succeeded as third Lord Seton, had, on 25 January 1506-7, with Jonet Hepburn his spouse, charter of lands in Seytoun, East Barnis and Lang Niddrie, on his father's resignation, being designed son and heir-apparent of George, Lord Seytoun.[2] On 6 April 1508 he had, as George, Lord Seton, with his said spouse, charter of the lands of Wyntoun and Milis, on his own resignation.[3] He witnessed a protestation by the Archbishop of Glasgow, following on a commission dated 6 August 1509.[4] On 19 April 1510 he had licence to go abroad, with protection from legal process for himself and those that should accompany him, for three years and forty days.[5] He redeemed the lands of Barnes, the Mains and mill of Winchburgh, and certain lands in Tranent, which had been mortgaged by his father,[6] and on 1 February 1511-12 he and his spouse had charter of confirmation of the lands and barony of Barnes.[7] He seems to have built Niddrie Castle,[8] and he completed parts of Seton House, and improved the collegiate church. He was an intimate of King James IV., along with whom he was killed at the battle of Flodden, 9 September 1513; he was buried in the choir of Seton Church.[9]

George, third Lord Seton married before December 1506[10] Jane[11] or Johanna, otherwise Jonet or Janet Hepburne, elder daughter of the first marriage of Patrick, first Earl of Bothwell with Jane (or Joanna) Douglas, daughter of James, first Earl of Morton.[12] She survived her husband nearly forty-five years. Maitland records that she managed her son's property until he came of age, after which she took up residence at the convent of St. Catherine of Siena, near Edinburgh,[13] which had been founded before 29 January 1517-18, partly at her instance,[14] and was built principally at her expense.[15] She was a liberal benefactress of the Collegiate Church of Seton, to which she added in

[1] *M. G.*, 36. [2] *Reg. Mag. Sig.* [3] *Ibid.* [4] *Reg. Episc. Glasg.*, Bann. Club, 1843, ii. 522. [5] *Reg. Privy Seal, Scot.*, i. No. 2048. [6] *M. G.*, 37. [7] *Reg. Mag. Sig.* [8] *Castellated and Domestic Architecture of Scotland*, MacGibbon and Ross, Edin., 1887, i. 326. [9] *M. G.*, 37, 38; *Acta Dom. Conc.*, xxviii. 209. [10] *Ibid.*, xviii. Part ii. 30. [11] *M. G.*, 37. [12] Harl. MSS. 4693, fol. 14*a*; *supra*, vol. ii. 152. [13] *M. G.*, 38-41. [14] Orig. bull in H. M. Gen. Reg. Ho., No. 44. [15] *M. G.*, 38.

1541,[1] and she founded two chaplainries for the increase of divine service in the same, endowing them with lands purchased during her widowhood; her foundation was confirmed by John, Archbishop of St. Andrews, on 20 July 1556.[2] She purchased the lands of Foulstruther, and bestowed them upon her grandson John Seton of Cariston, and she was most generous to her descendants, and charitable to the poor.[3] She died at St. Catherine's after 10 May 1558,[4] and was buried in the choir of Seton Church, beside her husband. Their issue was:[5]—

1. *George*, who died in infancy.
2. GEORGE, who succeeded. Of him below.
3. *Archibald*, who died young.
4. *Marion*, who was married first, without issue, to Thomas,[6] Master of Borthwick.[7] This marriage was annulled by papal decree, the parties being within the prohibited degrees of consanguinity,[8] and she was married[9] secondly, apparently after 30 January and certainly before 8 February 1530-31, to Hugh, Master of Eglintoun, by whom she had issue. Pope Clement VII., on 21 June 1539, granted a dispensation permitting the parties to marry, notwithstanding consanguinity, third degree.[10] The Master succeeded as second Earl of Eglinton, and died 3 September 1546.[11] His wife survived him, and was married thirdly, before 24 March 1552-53, to Alexander Graham of Wallastoun.[12] She died between 1558 and 30 September 1561.[13]

IV. GEORGE, fourth Lord Seton was served heir to his father in Seton, Wintoun and Tranent, 17 October 1513, at Haddington,[14] and sasine followed (certain liferents being reserved for his mother), on 25 October.[15] On the 24 October he had had sasine of Winchburgh, Easter Binning,

[1] Harl. MSS., 4693, fol. 13*a*. [2] *Ibid.*, fol. 14*b*. [3] *M. G.*, 39, 41. [4] Blackbarony Writs. [5] *M. G.*, 37, 38, 41. [6] *Supra*, vol. ii. 108. Maitland, her first cousin and contemporary, gives her husband's Christian name as Arthur. [7] *Reg. Mag. Sig.*, 15 February 1530-31. [8] *Complete Peerage*, i. 378. [9] *Reg. Mag. Sig.*, 15 February 1530-31. [10] Fraser's *Memorials of the Montgomeries*, priv. printed, Edin., 1859, i. 37, 38; ii. 112. [11] *Ibid.*, i. 38. [12] *Acts and Decreets*, vii. 36. [13] Revocation by Hugh, third Earl of Eglinton, printed in the *Memorials*, ii. 159 *et seq.* [14] Harl. MSS., 4693, fol. 15*a*. [15] *Exch. Rolls*, xiv. 517.

Hartishede and Clentis.[1] He was nominated a member of the Parliamentary Committee *pro judicibus* 13 July 1526.[2] On 4 January 1528-29 he had a precept of remission for disloyal failure to join the Royal Army at the Solway.[3] He had a charter of confirmation of the lands of Gammylstoun and Reidishill in the barony of Yester 28 July 1531.[4] He appears as an Extraordinary Lord of Session 17 November 1533.[5] On 12 March 1540-41 he had charter of Winchburgh, Cragy and Dundas, incorporated into the free barony of West Niddrie.[6] His town and lands of Tranent were on 13 March 1541-42 erected into a free burgh of barony, permission being granted for the holding of a weekly market on the Lord's day.[7] In 1542 Lord Seton was associated with the Earl of Huntly in command of a force told off to observe the English army under Norfolk.[8] On 10 January 1542-43 he had a gift of the marriage of Robert Logan, fiar of Restalrig.[9] In the same month Cardinal Beaton was arrested by order of the Regent Arran, and committed to Lord Seton's custody; he was released after a short detention, with the connivance, it is said, of the Regent.[10] Lord Seton was nominated a Privy Councillor 15 March 1542-43,[11] and on 4 December 1543 he was appointed to serve on the Parliamentary Committee of Dooms.[12] In the same year he consented to the projected marriage between Queen Mary and Prince Edward of England.[13] He was among the signatories of a band entering into a league with France against England, 26 June 1545.[14] Maitland states that Lord Seton obtained Kirkliston and other valuable lands in feu-farm from the See of St. Andrews;[15] and he further relates that the castle andplace of Seton were burnt and destroyed by Hertford's invading force in May 1544; the Collegiate Church was also plundered, and its interior timber-work burnt. George, fourth Lord Seton is described as a wise and virtuous man, and also as 'weill experimentit in all games,' and reckoned the best falconer

[1] *Exch. Rolls.*, xiv. 516. [2] *Acta Parl. Scot.*, ii. 301*a*. [3] *Reg. Privy Seal, Scot.*, No. 4020. [4] *Reg. Mag. Sig.* [5] *Acta Dom. Conc. et Sess.*, iii. 80. [6] *Reg. Mag. Sig.* [7] *Ibid.* [8] *Letters and Papers, For. and Dom., Henry VIII.*, xvii., No. 638. [9] *Reg. Sec. Sig.*, xvii. fol. 27. [10] Keith's *Hist. of Scot.*, Edin. 1734, 29 and 30 *n.* [11] *Acta Parl. Scot.*, ii. 414*b*. [12] *Ibid.*, 428*a*. [13] *Fœdera*, xv. 4. [14] *Acta Parl. Scot.*, ii. 595*a*. [15] Cf. *infra, sub nom.* George, third Earl of Winton.

of his time. He died at Culross 17 July 1549; his remains were afterwards removed to the choir of Seton Church.[1]

He married first (contract dated 10 April 1527[2]), Elizabeth Hay, daughter of John, third Lord Hay of Yester, by his first wife, Elizabeth, eldest daughter of George, Master of Angus.[3] The affianced spouses had a charter of lands in the barony of Winchburgh, in conjunct fee, 15 June following.[4] They had issue:[5]—

1. GEORGE, who succeeded; of him below.
2. *John*, who married Isabel, niece and heir of David Balfour of Carraldstoun, co. Fife,[6] and founded the cadet branch of Seton of Cariston, now represented by George Seton, Esquire.[7]
3. *James*.[8]
4. *Jean*, who died in infancy.
5. *Marion*, who in her youth was a member of the household of Queen Mary of Lorraine.[9] She was married first (contract dated 8 October 1548[10]), with issue, to John, fourth Earl of Menteith, who died in January 1564-65;[11] and secondly, as third wife, without issue, to John, tenth Earl of Sutherland. She died at Dunrobin from the effect of poison 23 June 1567.[12]
6. *Margaret*, who was married, after 10 January 1542-43,[13] to Robert Logan of Restalrig. She seems to have been married, secondly, to Mr. David Hamilton of Ladyflat, son of Sir Robert Hamilton of Preston, without issue. She died in January 1564-65.[14]
7. *Beatrix*, who was married (contract dated 24 February 1556-57) to George Ogilvy, eldest son of Sir Walter Ogilvy of Dunlugus, and had issue.[15]
8. *Helenor*, who, on 25 June 1550, was contracted to marry Francis Douglas, son of Hugh Douglas of Borg, tocher 500 merks.[16] This marriage did not

[1] *M. G.*, 41-43. [2] *Acta Dom. Conc.*, xxxvii. fol. 136. [3] *Supra*, vol. i. 189. [4] *Reg. Mag. Sig.* [5] *M. G.*, 41, 42. [6] *Reg. Mag. Sig.*, 9 April 1553. [7] Son of the late George Seton, Esquire, Advocate, author of the *History of the Family of Seton*. For an account of the Cariston branch see that work, ii. 577 *et seq.* [8] Not mentioned by Maitland, his near kinsman and contemporary, but styled third son in *Reg. Mag. Sig.*, 18 May 1545. [9] *Acts and Decreets*, viii. 371. [10] *Acta Dom. Conc. et Sess.*, xxv. fol. 60. [11] *Acts and Decreets*, xlvi. 326. [12] *Ante*, p. 342. [13] *Reg. Sec. Sig.*, *loc. supra cit.* [14] *Edin. Com. Decreets*, ii. 110; see also Anderson's *Hist. of the House of Hamilton*, 345. [15] *Supra*, vol. ii. 11. [16] *Acts and Decreets*, iv. 51.

take place, and the intended bridegroom was severely handled by the Setons some fifteen years afterwards.[1] He had, in 1569, a charter whereby George, Lord Seytoun disponed in his favour the lands of Wintoun with the manor-place etc., in implement of a decreet arbitral promulgated, probably as compensation, by the Lord Regent.[2] Helenor was married (contract dated 11 February 1557[3]) to Hugh, Master of Somerville (who succeeded as seventh Lord), and had issue.[4] She was deserted by her husband in 1586, and thereafter brought before the Commissariot Court of Edinburgh an action of adherence against him.[5] She died about 1603.

George, fourth Lord Seton appears to have been handfasted in February 1538-39 to Marie Pieris, a French lady, who afterwards became his second wife.[6] She had come to Scotland about eight months before, in the suite of Mary of Lorraine, the second consort of King James v.[7] They had a charter of confirmation of certain lands in Winchburgh, in conjunct fee, 27 June 1548.[8] Marie, Lady Seton survived her husband, and was married secondly, before 6 October 1554, to Pierre de Clovis, Seigneur de Bryante.[9] She appears as Madame de Bryante in the lists of Queen Mary's ladies of honour in 1562 and 1567. M. de Bryante died in 1570; she survived him till about 1576.[10] By her[11] Lord Seton had issue:—

9. *Robert*, who, on 22 February 1562-63, had a charter of confirmation of instruments of sasine dated in 1548, of the lands of Mylis and the half lands of Greendykes, in the barony of Tranent; being designate son of George, Lord Seton, procreate between him and Dame Marie Peris, then his spouse.[12]
10. *James*, who had from his father a charter of the lands of Myltoun, in the barony of Tranent. He died before 29 January 1562-63.[13]

[1] Pitcairn's *Criminal Trials*, Bann. Club, 1833, i. pt. ii. 465*. [2] Winton Inventory. [3] Note by the late John Riddell, printed in the *Fam. of S.*, ii. 953. [4] *Memorie of the Somervilles*, Edin., 1815, i. 422. [5] *Edin. Commissariot Decreets*, xviii. 23 February 1587-88, and 11 June 1588. [6] *Treasurer's Accounts*, vii. 140. [7] *M. G.*, 42. [8] *Reg. Mag. Sig.* [9] *Acts and Decreets*, viii. 622. [10] *Fam. of S.*, i. 128, 129. [11] *M. G.*, 42. [12] *Reg. Mag. Sig.* [13] *Acts and Decreets*, xxv. 248.

11. *Marie*, born about 1541.[1] She was one of the four Maries who accompanied Queen Mary (then a child) to France, in 1548; and she returned with her to Scotland, as Maid-of-honour, in 1561.[2] She continued in the service of her royal mistress, and shared her captivity in England until the autumn of 1583. Thereafter she entered the Convent of St. Pierre aux Dames at Rheims; she was still there in 1613, and was alive 6 April 1615.[3]

V. GEORGE, fifth Lord Seton seems to have been born in 1531,[4] and was educated in France.[5] He was served heir to his father at Linlithgow, in the lands of West Niddrie 19 May 1550, in the lands, lordship and barony of Seytoun and Wintoun 2 May 1552,[6] and in Winchburgh 5 October 1557.[7] He interdicted himself from alienating any portion of his heritage until he attained a certain age; this disability was relaxed by the Lords of Council 7 May 1554.[8] He had a commission of justiciary 19 May 1554.[9] He was Provost of Edinburgh on 20 October 1557.[10] The Queen-Regent endeavoured to procure his re-election when his term of office expired, but failed to do so, and he vacated 27 October 1559.[11] On 14 December 1557 he was appointed member of a commission sent to France by Parliament,[12] and he was present at the marriage of Queen Mary to the Dauphin 24 April 1558, when he 'had ane noble present sent him of silver plate by Henry II., then King of France, with ane yearly pension of 1200 francks.'[13] He returned to Scotland in the following October. In 1560 he accompanied the Bishop of Glasgow to Paris, arriving 3 August.[14] He seems to have gone home and again returned to France,[15] whence he accompanied the Queen to Scotland, arriving 19 August 1561.[16] He entertained Her Majesty at his magnificent house, later known as Seton Palace (which he re-

[1] *Fam. of S.*, 149. [2] Bishop Lesley's *History of Scotland*, Bann. Club, 1830, 209, 297. [3] *Fam. of S.*, 146, 149, 150. [4] *Ibid.*, i. 152. [5] *M. G.*, 43. [6] Orig. Inst. in Eglinton Charter-chest. [7] Harl. MSS., 4693, fol. 14*b*. [8] *Acts and Decreets*, x. 231. [9] *Exch. Rolls*, xviii. 570. [10] Ext. from Edin. Burgh Recs., printed in *Fam. of S.*, i. 156. [11] *Ibid.*, 161, *note* 1; Chalmers' *Caledonia*, ii. 626. [12] *Acta Parl. Scot.*, ii. 501*b*, 504*b*. [13] *K.* (Lord Kingston's Continuation, etc., *M. G.*), 55. [14] *Cal. S. P.*, For. Ser., Elizabeth, 1560-1561, 225. [15] *Cal. S. P., Scotland*, i., Scot. ser., 163. [16] *Les Ecossais en France, etc.*, by Francisque-Michel, London, 1862, ii. 31.

paired and greatly enlarged),[1] on 4 and 5 January 1561-62.[2] Kingston says that the Queen offered Lord Seton an earldom.[3] If this be the fact, the tender may probably have been made during that visit.[4] In the same month Lord Seton was reported by an English agent to have disclosed certain designs of the French on Berwick, etc.;[5] this may have been done of set purpose, to deceive Queen Elizabeth's Government. He was Master of the Royal Household in 1563.[6] On 15 March 1565 report was made to Cecil that Lord Seton was obliged to fly to France, and a fortnight later application was made for permission for him to pass through England on his way, and on 24 September following for his return.[7]

When Bothwell first publicly announced his ambitious design of marrying the Queen, at the famous supper on 19 April 1567, a band giving a general consent to the marriage was subscribed by the assembled nobles. It is said that Lord Seton was among those who signed it; but this appears doubtful.[8] Queen Mary passed the night of 14 June 1567 at Seton.[9] The next day she surrendered to the confederate Lords at Carbery Hill. Lord Seton was deep in the plot for her escape from the island fortress of Lochleven, was in waiting ready to receive her at her landing on the shore of the lake, and escorted her to his castle of Niddrie 2 May 1568.[10] He was one of the nobles who signed a band in her support at Hamilton on 8 May,[11] and was present with her at the battle of Langside, where he was taken prisoner by the confederates[12] on 13 May. He was confined in Edinburgh Castle,[13] but in June 1569 Queen Elizabeth granted him leave to pass from Berwick to

[1] *M. G.*, 44, 45, 47. [2] *Mary Queen of Scots*, by David Hay Fleming, Edin., 1897, 517. [3] 'The said Lord George, being at that time the eldest Lord in Parliament, did, with most humble thanks, excuse himself at Her Majesty's hands.' (*K.*, 57). [4] *Ibid.* [5] *Cal. S. P.*, Scot. ser., i. 167. [6] *Exch. Rolls*, xix. 233. [7] *Cal. S. P.*, Scot. ser., i. 207, 220. [8] The ultimate authority for the allegation seems to be the vague recollection or conjecture of a spy (Keith's *History*, 380). The supplementary band signed on 20 April did not contain Lord Seton's name (*Hist. of the Kirk of Scotland*, by Mr. David Calderwood, Wodrow Society, ii. 352; cf. *The Melvilles*, by Sir W. Fraser, i. 89 *n.*). [9] *Diurnal of Occurrents*, Bann. Club, 1833, 114. [10] *History of Mary Stuart* by Claude Nau, 1883, 91; *History and Life of King James the Sext*, Bann. Club, 1825, 24. [11] *Cal. of Scottish Papers*, Rec. ser., ii. No. 650. [12] *Hist. of King James the Sext*, 26; Nau, 94 and 173, App. iv. [13] *Cal. S. P.*, Scot. ser., ii. App. 860.

London, on his way to France.[1] On 10 August 1570 he was commissioned on behalf of the captive Queen Mary to apply for assistance to Ferdinand, Duke of Alva, the Spanish Viceroy in the Low Countries.[2] While there he incurred great risk by intriguing with the Scottish troops in the pay of the States of Holland, which were then in rebellion, and endeavouring to win them over to the Spanish interest.[3] On 31 May 1571 he was in Paris.[4] Queen Mary wrote to Alva on 18 April 1571 that he was her most faithful and devoted subject and servant, and that she was convinced that next to the honour of God, his duty to his Queen was his sole object.[5] But early in 1573 he was fain to submit himself to King James VI.[6] Soon afterwards he appears as a Privy Councillor; he first sat at the board 3 June 1573.[7] In the following year it was reported to Pope Gregory XIII. that Lord Seton and his three sons had been excommunicated by the Established Church.[8]

In 1577 Lord Seton was again in Paris, and the next year in Flanders, on the Queen's business.[9] In 1579 he and his three sons were ordered into confinement, apparently on suspicion of harbouring a servant of the Bishop of Glasgow, Queen Mary's agent in Paris.[10] On 26 October 1583 King James VI. wrote to King Henry III. of France that he was sending George, Lord Seton, one of his council, as Ambassador to negotiate for a renewal of the treaty of friendship between the two countries.[11] The envoy assured Queen Mary in a letter dated 16 September previous, which was intercepted by the English and deciphered, that his main object in accepting the mission was to advance her service.[12] He wrote to Pope Gregory XIII. from Paris on 14 March 1584, informing his Holiness of the existence in Scotland of rebellion abetted by England, and imploring assistance.[13] Sir E. Stafford wrote to Sir F. Walsingham

[1] *Cal. S. P.*, Scot. ser., i. 271. [2] *Fœdera*, xv. 687. [3] *Hist. of King James the Sext*, 61, 62. [4] *Cal. S. P.*, Scot. ser., i. 316. [5] Labanoff, *Lettres, Instructions et Mémoires de Marie Stuart*, Londres, 1844, iii. 270. [6] *Cal. S. P.*, Scot. ser., i. 372. [7] *P. C. Reg.*, first ser., ii. 233. [8] *An Old Family, etc.*, 88, citing Bellesheim's *Hist. of the Cath. Ch. in Scotland*, iii. 241. [9] Labanoff, *Recueil de lettres de Marie Stuart*, 1844, iv. 401; v. 40. [10] *Hist. MSS. Com.*, Cal. Hatfield MSS., Part ii. (1888), 257. [11] Harl. MSS. 4693, fol. 23*b*; *Reg. Sec. Sig.*, xlix. fol. 174. [12] *State Papers, etc., of Sir Ralph Sadler*, London, 1809, ii. 373, 374. [13] Theiner, *Annales Ecclesiastici*, iii. 598.

from Paris on 29 May following, that Lord Seton aimed at getting his son appointed Captain of the Scottish Guard.[1] He returned for the last time to Scotland towards the end of 1585, died 8 January 1585-86, and was buried at Seton Church.[2]

George, fifth Lord Seton married (contract 2 August 1550 [3]) Isabell, daughter of Sir William Hamilton of Sanquhar, one of the Lords of Council.[4] She survived him, died 13 November 1604 aged about seventy-five years, and was buried at Seton Church.[5] They had issue:—

1. *George*,[6] Master of Seton, who died in boyhood: it is said in March 1562.[7]
2. ROBERT, who succeeded as sixth Lord Seton; of him below.
3. *Sir John*,[8] who had from his father a charter of the lands of East and West Barnes, dated 10 May 1583.[9] He bore in his coat armorial the sword supporting an imperial crown said to have been granted as an augmentation to his ancestor Sir Alexander Seton along with those lands.[10] He was brought up at the Court of Spain.[11] Lord Kingston states that King Philip II. made him a Knight of Santiago,[12] a Gentleman of the Bedchamber and *Caballero de la boca*, and granted to him and his heirs a pension of two thousand crowns yearly.[13] In 1575 he visited the English Court, and was well received.[14] He was appointed Master of the Horse 9 May 1581,[15] having been so styled on the tenth of the previous month, when he received instructions for his conduct as envoy to the Court of England.[16] The mission proved abortive; Sir John was not allowed to pass the

[1] *Hist. MSS. Com.*, Cal. Hatfield MSS., Part iii., 1889, 132. [2] M. I. in Seton Church, printed in Grose's *Antiquities of Scotland*, i. 66; translation given in *K.*, 57. [3] *Acts and Decreets*, iv. 187. [4] *Reg. Mag. Sig.*, 8 August 1550, 6 August 1554. [5] M. I. *supra cit.* [6] *Reg. Mag. Sig.*, 6 August 1554. [7] *Fam. of S.*, i. 200. [8] *Reg. of Deeds*, xl. 177. [9] Winton Chartulary, fol. 20. [10] Mackenzie's *Science of Heraldry etc., supra cit.*, 3. [11] Nisbet's *Essay on Armories*, Edinburgh, 1718, 131. [12] He adds (differing from Sir George Mackenzie), 'in memory whereof he (Sir John) and his heirs, has a sword in their coat of armes, being the badge of that order' (*K.*, 61). [13] *Ibid.* Nisbet states (*Essay etc., loc. cit.*) that he was a Knight of the Spanish order of Calatrava. [14] *Cal. S. P.*, Scot. ser., i. 392. [15] *Reg. Sec. Sig.*, xlvii. 116. [16] Lauderdale Papers, Brit. Mus. Addl. MSS. 23, 108, 20.

frontier;[1] the English warden believed him to be a servant of the King of Spain, and suspected him of a design to communicate with the French and Spanish ambassadors in London.[2] He seems to have been in Spain in 1583 or 1584.[3] In 1586 he was nominated Scottish Ambassador to the Court of Spain.[4] On 3 January 1586-87 he was appointed for life First Master of the Royal Household.[5] On 1 July 1587 he is styled *Miles, sive Eques auratus*.[6] On 8 July 1587 he was appointed for life Comptroller of the Royal property,[7] and on 17 February 1587-88 he was admitted an Extraordinary Lord of Session.[8] He died in May 1594.[9] Sir John married on 8 September 1588[10] (contract dated 10 and 12 of the previous month[11]), Anna, youngest daughter of William, seventh Lord Forbes, and was by her ancestor of the Setons of Barnes.[12]

4. *Alexander*, who was created EARL OF DUNFERMLINE. (*See that title*.[13]) He became Chancellor of Scotland.

5. *Sir William*, of Kylesmure, Knight,[14] is said to have been born in 1562.[15] On 3 January 1584-85 he had from his father a grant of the provision of the College Church of Seton, vacant through the decease of Mr. Thomas Raith, last Provost thereof.[16] On 15 December 1602 he had a letter of gift of a reward 'for his trouble and charges in bringing of certain craftsmen cloth-makers for the great benefit of his native country.'[17] On 15 June 1611 a commission issued appointing him and three others to be justiciaries, with jurisdiction in the Border counties; and on 1 July following he was named member of a joint

[1] *Hist. of the Ch. of Scotland*, by John Spotswood, Archbp. of St. Andrews, London, 1655, 313. [2] *Cal. Scot. Papers*, Elizabeth, vi. 5, 8. [3] *Letters of Mary Queen of Scots*, ed. by Agnes Strickland, London, 1843, ii. 44. [4] *Hist. MSS. Com.*, Cal. Hatfield MSS., part iii. (1889), 135. [5] *Reg. Sec. Sig.*, lv. 2. [6] *Reg. Mag. Sig.* [7] *Reg. Sec. Sig.*, lv. 98. [8] *Books of Sederunt*, iv. 4. [9] Edin. Tests., xlv., 30 June 1609. [10] Bain, *Cal. Border Papers*, Rec. ser., i. 333, 730. [11] *Reg. of Deeds*, xxxiii. 300. [12] This family (of which an account is given in *Fam. of S.*, ii. 621 *et seq.*), appears to have failed in the person of James Alexander Seton, who died 2 June 1845 (*ibid.*). [13] See also *Fam. of S.*, ii. 634 *et seq.* [14] *Reg. of Deeds*, xl. 177. [15] *Fam. of S.*, ii. 671. [16] Orig. *penes* the trustees of the late Sir William Fraser, K.C.B. [17] *Reg. Sec. Sig., Scot.*, lxxiii. 131.

commission for the settlement and maintenance of peace on the Borders between Scotland and England.[1] He wrote in the capacity of Sheriff of Edinburgh to the Secretary of State on 10 February 1616;[2] and on 18 June 1618 he received £1000 for services rendered as one of the Masters of the Household during the King's visit to Scotland.[3] In 1620 he was Postmaster-General of Scotland, with patent for a monopoly of the supply of post-horses throughout the kingdom.[4] He died in July 1635,[5] and was buried in Seton Church.[6]

Sir William married Agnes Stirling[7] (who is said to have come of the family of Stirling of Glorat[8]), and had issue by her; but his male line seems to have failed in the person of his eldest son, Sir William Seton of Grange, His Majesty's Chief Postmaster, who died unmarried in the year 1662, and was buried in Seton Church.[9]

6. *Margaret*, married at Niddry Castle, on 1 August 1574[10] (contract 15 and 16 June 1574[11]), to Lord Claud Hamilton, fourth and youngest son of James, second Earl of Arran and first Duke of Châtelherault[12] (afterwards first Lord Paisley), and had issue. She died a few days before 10 February 1616.[13]

VI. Robert, sixth Lord Seton (afterwards created Earl of Winton) had, as Master of Seton, on 20 February 1582-83, sasine of the lands, lordship and barony of Seytoun and Wintoun, proceeding on his service as heir of George Seton, his brother-german.[14] He succeeded his father 8 January 1585-86. On 1 April 1591 he had a Crown charter of the harbour of Cowkany (Cockenzie) erected into a free port, with power to him to levy certain dues; the town being also erected into a burgh of barony.[15] On 14 December 1599 he had a charter of feu-farm of the lands of St. Germains

[1] Fraser's *Memorials of the Earls of Haddington*, priv. printed, Edin., 1889, i. p. liv. [2] *Ibid.*, ii. 129. [3] *Reg. P. C.*, 1st ser., xi. 387. [4] *Ibid.*, xii. 82, 365, 389. [5] Test. confd. Edin., 6 August 1636. [6] *K.*, 68. [7] *Reg. Mag. Sig.*, 18 December 1609. [8] *K.*, 68. [9] *Ibid.*, 68, 69. For an account of the Kylesmure branch see *Fam. of S.*, ii. 671 *et seq.* [10] *Ibid.*, i. 201. [11] *Reg. of Deeds*, xiii. 154. [12] *Reg. Mag. Sig.*, 30 January 1553-54. [13] *Memorials of the Earls of Haddington*, ii. 129. [14] Winton Inventory; *Exch. Rolls*, xxi. 479. [15] *Reg. Mag. Sig.*

in the Constabulary of Haddington.[1] On 11 November 1600 he was elected a Lord of the Articles.[2] On 16 November 1600 he was created EARL OF WINTON, had a charter of the earldom with remainder to his heirs-male, and was invested with the dignity in full Court.[3] He took a coat of augmentation as Earl, viz. *azure*, a star of twelve points *or*, which he placed by way of an escutcheon on his quartered shield.[4] He died 22 March,[5] and was buried at Seton Church 5 April 1603.[6]

Robert, first Earl of Winton, married (contract 10 April 1582, tocher 10,000 merks[7]) Lady Margaret Montgomerie, elder daughter of Hugh, third Earl of Eglinton. On 12 August 1589 she had from her husband a charter of the liferent of various lands, proceeding on a contract made twelve days previously, and confirmed 16 January 1589-90.[8] She survived her husband, and on 18 September 1620, as undoubted patron of the Collegiate Church of Seton, she conferred a vacant prebend on Robert Seton, younger, in Seton.[9] She died 9 April 1624.[10] The issue of the marriage was:[11]—

1. ROBERT, who succeeded as second Earl of Winton; of him below.
2. GEORGE, who succeeded his brother as third Earl; of him below.
3. *Sir Alexander*, of Foulstruther, par. Pencaitland, said to have been born in 1588. On 31 July 1612 he had from George, Earl of Winton, his brother, a charter of the lands of St. Germains and others, in the Constabulary of Haddington.[12] He succeeded his cousin-german, Hugh, fifth Earl of Eglinton, as sixth Earl, under a family arrangement finally

[1] *Reg. Mag. Sig.* [2] *Acta Parl. Scot.*, iv. 194*b*. [3] 'Per cinturam gladii ac cappe honoris et dignatatis et circuli aurei circa caput positionem' (*Reg. Mag. Sig.*). The title is usually said to have been Earl of Winton, Lord Seton and Tranent, but the subsidiary titles do not occur in the charter referred to. [4] Nisbet's *Heraldry*, ed. 1804, i. 235. [5] Test. confd. Edin., 18 February 1606. [6] *M. E.*, 51, where there is printed a family register from an original at Duns Castle believed to be in the handwriting of George, third Earl of Winton. The date of Earl Robert's death is therein given as 24 March. [7] Copy bond of the same date by Hugh, third Earl of Eglinton, printed in *Memorials of the Montgomeries*, ii. 221. [8] *Reg. Mag. Sig.* [9] Orig. grant *penes* the Fraser trustees. [10] Test. confd. Edin., 27 July 1626. [11] *Reg. Mag. Sig.*, 12 May 1607 and 12 April 1608. [12] Winton Chartulary, fol. 32.

sanctioned and confirmed by the Crown 24 March 1615.[1] (*See title* Eglinton.) The present Earl of Eglinton, his lineal descendant, is the heir-male of the house of Seton.[2]

4. *Sir Thomas*, who had from his father a charter of the lands of Over Olivestob, par. Tranent, dated 12 January 1603.[3] He married Agnes (or Anna), daughter of Thomas Drummond of Corskeply, but had no male issue.[4]
5. *Sir John*, who had from Alexander, sixth Earl of Eglinton, his brother, a charter dated 23 and 26 December 1615, of the fee of the lands of St. Germains in the Constabulary of Haddington, and others, confirmed 14 January 1617.[5] He married, with issue (contract 3 and 4 July 1620), Margaret, daughter of Mr. William Kellie, W.S.[6] His succession seems to have failed in the person of his grandson, George Seton of St. Germains, writer in Edinburgh, who died 11 January 1718.[7]
6. *Isabell*, born 30 November 1593.[8] She was married first, with issue (contract 5 March 1608[9]), on 19 April 1608, to James, first Earl of Perth, who died 18 December 1611,[10] and was buried at Seton Church;[11] and secondly, 2 August 1614,[12] with issue, to Francis Stewart, eldest son of the then deceased Francis, sometime Earl of Bothwell, who had been forfeited 25 June 1591, and attainted 21 July 1593.[13]

VII. Robert, seventh Lord Seton and second Earl of Winton is said to have been born in 1583. He succeeded his father 22 March 1603. On the first day of the previous month he had gone through the ceremony of marriage (contract 29 and 31 January 1603[14]) with Anna Maitland, daughter of John, first Lord Thirlestane, Chancellor of

[1] *Reg. Mag. Sig.* [2] *Vide Fam. of S.*, ii. 696 *et seq.* [3] Winton Chartulary, fol. 24. [4] *K.*, 73; *vide* also *Fam. of S.*, ii. 708, where an account of Sir Thomas's daughters and their descendants is given. [5] *Reg. Mag. Sig.* [6] Winton Chartulary, fol. 33*b*, 35. [7] *Vide Fam. of S.*, ii. 710 *et seq.* [8] Fam. Reg. *supra cit.*, *M. E.*, 51. [9] *Reg. Mag. Sig.*, 12 April 1608. [10] Fam. Reg., *ut supra.* [11] M. I. in the church. [12] Fam. Reg., *ut supra.* [13] *Acta Parl. Scot.*, iii. 537*a*, iv. 8*b*. [14] *Reg. Mag. Sig.*, 22 March 1603.

Scotland; but, according to a contemporary account, he showed symptoms of mental aberration on his wedding night, was separated from his bride, and was thereafter kept in restraint at Seton Palace till he died.[1] The lady sued for divorce on the ground of his impotency.[2] She died 6 July 1609, aged nineteen.[3] On 26 June 1606 the Earl executed a procuratory of resignation whereby, with consent of Alexander, Earl of Dunfermline, and Sir William Seton of Kyllismure, his uncles, he denuded himself of his dignities and estates in favour of his next brother, George, Master of Winton, with remainder to his younger brothers in succession,[4] following on which the said George had a Crown charter thereof, dated 12 May 1607.[5] On 25 January 1634 the superseded Earl was styled Robert Seton, eldest lawful son to the deceased Robert, Earl of Winton.[6] He was alive 28 December 1636.[7]

VIII. George, eighth Lord Seton and third Earl of Winton is said to have been born in December 1584. On 12 May 1607 he had a charter of novodamus of the Earldom of Winton and minor dignities, and of the family estates, on the resignation of Robert, Earl of Winton, his brother-german. The remainder was to the heirs-male to be lawfully begotten of his body, whom failing, to his brothers in succession and the lawful heirs-male of their bodies, whom failing, to his nearest and lawful heirs-male.[8] On 30 January 1612 he had a charter of the lands of Innernytie and others, co. Perth; on 12 March 1618 confirmation of a charter of resignation granted by George, Archbishop of St. Andrews, of the hereditary office of Justice-General and Coroner of the regality of St. Andrews, and the bailliary of the barony of Kirkliston, etc.; on 29 June 1621, a charter of resignation of the lands of Upcraigie and teinds of Langniddrie; and on 25 January 1634 a charter of the burgh of barony of Cockenzie, on the resignation of his brother Robert. The Earl had

[1] *Staggering State of Scots Statesmen*, by Sir John Scot of Scotstarvet, Edin., 1754, 13, 94. [2] *Edin. Com. Decreets*, 28 January 1607. [3] M. I. at Haddington Church, wherein it is recorded that the unfortunate young lady '*virgo mortua est*.' [4] *Reg. of Deeds*, cxxi., 382. [5] *Reg. Mag. Sig.* [6] *Ibid.* [7] *Retours, Inq. Gen.*, No. 2269. [8] *Reg. Mag. Sig.*

also, on 1 March 1648, a charter of resignation of the lordship and barony of Haills, the barony of Auldhamstocks and many other lands.[1] He added further to the family property by acquiring certain feu lands in Lang Niddrie, and, on 27 June 1643, those of Easter Gairmiltoun (Garletoun), *alias* Gairmiltoun Noble,[2] and Athelstaneford in the Constabulary of Haddington.[3] He built the house of Wintoun in 1620, and ten years later added largely to Seton Palace, replacing in both cases buildings which had been 'burnt by the English of old.'[4] On 2 June 1633 King Charles I. wrote to the Earl from Durham that he intended to arrive at Seton nine days later, adding:—'Wee doe exspect we shalbe heartlie welcome as our late royall father was there, which we will take verie kyndly at your handis.'[5] His son Lord Kingston relates that when the Scottish rebellion broke out in 1639, the Earl joined King Charles I., and that his lands were consequently sequestrated by the dominant party. In 1643 he was fined 36,000 merks; and he had afterwards to ransom his eldest son (who had been taken prisoner at Philiphaugh 13 September 1645), at a cost of £40,000 Scots. When King Charles II. came to Scotland in 1650 the Earl was for a time in constant attendance; but he obtained a pass from the Lord Protector, and left His Majesty soon after the battle of Dunbar (3 September 1650). He died soon afterwards, 17 December 1650, and was buried at Seton Church.[6]

George, third Earl of Winton married first, 26 April 1609[7] (contract 17 and 18 March 1609[8]), Lady Anne Hay, eldest daughter of Francis, ninth Earl of Erroll, by whom he had issue:[9]—

1. *George*, born 22 July 1610, died in infancy.
2. George, styled Lord Seton, born 15 May 1613. He served with the Royalist force under Montrose, was taken prisoner at Philiphaugh 13 September 1645, and confined in the Castle of St. Andrews until ran-

[1] All in *Reg. Mag. Sig.* The lands granted by the last-named charter had pertained to Francis Stewart, son of Francis, sometime Earl of Bothwell (cf. *supra*, vol. ii. 173). [2] Writ *penes* the Fraser trustees. [3] *K.*, 77. [4] *Ibid.*, 74, 75. [5] Orig. letter *penes* F. C. B. Cadell, Esq. [6] *K.*, 75, 76, 77, 79; Lauderdale Papers, Brit. Mus. Addl. MSS. 23,113, f. 36. [7] *M. E.*, 52. [8] *Reg. Mag. Sig.*, 23 November 1615. [9] The family register *supra cit.*, *M. E.*, 51 *et seq.*, is the authority for the dates of birth of its recorder's first family.

somed. He died in his father's lifetime, 4 June 1648, and was buried at Seton Church.[1]

He married (contract 25 March and 9 and 19 October 1639)[2] Henrietta, second daughter of George, second Marquess of Huntly. She survived her husband, and was married secondly, in 1649, as his first wife, to John Stewart, afterwards second Earl of Traquair. She died in June 1651.[3] Their issue was:—

(1) GEORGE, who succeeded as fourth Earl of Winton; of him below.

(2) *Alexander*, born 21 January 1644.[4] He was alive 29 September 1669, but died without issue before 13 December 1673.[5]

(3) *Christopher*, born 15 April 1645.[6] He was alive 16 December 1687,[7] but died without issue before 7 April 1697.[8]

(4) *Francis*, who died at the age of two years.[9]

3. *Christopher*, born 20 February 1617, baptized 2 March following, and died 30 June 1618.[10]
4. *Alexander*, born 13 March 1620; created Viscount Kingston 14 February 1651. (*See that title.*[11]) He was the author of the continuation of Sir Richard Maitland's *History of the House of Setoun* mentioned above.[12]
5. *Francis*, born 1 May 1623; died young.[13]
6. *Anna*, born 18 December 1611; died young.[14]
7. *Margaret*, born 25 March 1615; died, unmarried, in 1637.[15]
8. *Elizabeth*, born 13 June 1618; seems to have died in infancy.
9. *Elizabeth*, born 24 December (1621).[16] She was married (contract 22 May 1637[17]), with issue, to William, seventh Earl Marischal. She died in childbed 16 June 1650, aged twenty-eight years.[18]

George, third Earl of Winton married secondly, about the year 1628,[19] Elizabeth Maxwell, only daughter of John,

[1] *K.*, 76, 77, 80; *Fam. of S.*, i. 233. [2] *Reg. of Deeds*, DXXIV. 57. [3] Balfour's *Annals*, iv. 351. [4] Tranent Reg. [5] Bonds of tailzie of those dates, by George, fourth Earl of Winton, in Eglinton Charter-chest. [6] Tranent Reg. [7] Bond by him of that date in favour of George, fourth Earl of Winton, in Eglinton Charter-chest. [8] *Part. Reg. Sasines, Edin. etc.*, lvii. fol. 8. [9] *K.*, 80. [10] Tranent Reg. [11] See also for a detailed account of the Kingston branch, *Fam. of S.*, ii. 714 *et seq.* [12] Printed in the Maitland Club edition, 1829, p. 47 *et seq.* [13] Nisbet, Adv. Lib. MS. 34.3.5., 47. [14] *M. E.*, 52. [15] *K.*, 78. [16] No year is given in the fam. reg. [17] *Supra*, vol. vi. 59. [18] Father Richard Hay's *Geneal. Coll.*, Adv. Lib. MS., 34.1.9., iii. 267. [19] *Fam. of S.*, i. 226.

(sixth) Lord Herries of Terregles,[1] by whom he had issue:—

10. *Christopher*, and
11. *Robert*, who both died young.[2]
12. *Christopher*, born 28 June 1631,[3] and
13. *William*, born 8 January 1633,[4] who were lost at sea together on passage to Holland in July 1648.[5] William had had from his father a charter of the lands of Windigoule, par. Tranent, with remainder to his brothers, John and Robert.[6]
14. *John*, born 29 September 1639,[7] had, on 13 August 1649, a charter of the fee of the lands of Athelstaneford and Gairmiltoun (or Garleton) in the Constabulary of Haddington, united into one barony of Athelstaneford.[8] He was created a Baronet 9 December 1664, being styled 'of Garleton.'[9] He died in February, and was buried at the Church of Athelstaneford 1 March 1686.[10] He is reported to have been distinguished for virtue, piety and works of charity.[11]

    He married Christian, daughter of Sir John Hume of Renton, Senator of the College of Justice,[12] and by her had issue:—

    (1) GEORGE, who succeeded as second Baronet; of him below.

    (2) *John*, born about the year 1668. He was educated at the Scots College at Douai.[13] He died in Germany about the year 1715.[14] He married Frances, daughter of Sir Richard Neale, Knight, of Plessey, co. Northumberland, and Codnor Castle, co. Derby, Under-Sheriff of Durham.[15] By her he had issue:—

    i. *Ralph*, born 27 June 1702,[16] who, in 1769, succeeded his cousin-german, Sir George Seton, third Baronet

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[1] *K.*, 78; *supra*, vol. iv. 416; *Reg. Mag. Sig.*, 13 August 1649. [2] *K.*, 78. [3] Tranent Reg. [4] *Ibid.* [5] *K.*, 78; Sir George Mackenzie's *Acct. of Scot. Families*, Brit. Mus. Addl. MSS. 12,464, p. 188. [6] Winton Chartulary, fol. 54. [7] Tranent Reg. [8] *Reg. Mag. Sig.* [9] *Ibid.*, lib. lxiii. No. 13. [10] *Greyfriars Reg.*, Scot. Hist. Soc., 580. [11] *K.*, 87; Dedication to *An Answer to M. Rodon etc.*, Edin., 1681, cited in *An Old Family etc.*, 143. [12] *K.*, 86, 87. A table pedigree of the Garleton branch, drawn up about 1785, printed in the Case for the Earl of Eglinton claiming the honours of Wintoun, etc., p. 33, states that Christian was daughter of Alexander Hume of Renton (probably Sir John's eldest son, afterwards created a Baronet). [13] *Rec. of Scots Colleges, etc.*, New Spalding Club, 1906, i. 56. [14] Table pedigree, *supra cit.* [15] *Reg. Durham Cathedral*, Harl. Soc., 1897, 11. [16] Reg. St. Oswald's, Durham, 1891, 196*a*.

(attainted 1716), in the heraldic honours of heir-male of the house of Seton. His means were small, and for the last eleven years of his life he received an allowance made up by the connections of the family.[1] He died, without issue, at Newcastle-on-Tyne, and was buried at St. Andrew's Church there 31 December 1782. The entry in the burial register describes him as 'Ralph Seton, commonly called Lord Seton (representative of George Seton, Earl of Winton, attainted in 1715), aged eighty.'[2]

ii. *John*, born at Durham 22 June 1707. He resided in the parish of St. George the Martyr, co. Middlesex,[3] died in January 1775, and was buried at St. Pancras Church 27 of that month.[4]

He married Mary (daughter of Francis Newton of Irnham, co. Lincoln, Esq.),[5] who died aged sixty-four, and was buried at St. Pancras' 20 December 1783,[6] and by her had issue:—

(i) *John*, born December 1755; of the parish of St. George the Martyr.[7] He became the head of the house of Seton on the death of his uncle Ralph in December 1782. He died 3, and was buried at St. Pancras Church 10, August 1796.[8]

He married, 16 February 1786, Mary, daughter of John Hughes of Berryhall, co. Warwick, and had issue:[9]—

a. *John*, buried at St. Pancras' 28 November 1786.[10]

b. *John-Joseph*, died young (about November 1788).

c. *Mary*, who also died in infancy; and

d. *Mary-Catherine*, born 2 June 1796.[11] She was married 26 January 1816 to John Broadbent, of Kirkbarrow House, Kendal,[12] and had by him a numerous issue. Her husband died 16 April 1868, aged eighty-three. She died 30 October 1870, aged also eighty-three. Both were buried at the (old) London Cemetery, Highgate.[13] The children of this marriage assumed the surname of Seton in addition to and before that of Broadbent. James Seton-Broadbent, the eldest son, was born 7 July 1828.[14] He married, 8 October 1851,

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[1] Joint family bond, dated in 1771 and 1772, orig. *penes* the Fraser trustees. Printed from a duplicate or copy at Duns Castle in the *Fam. of S.*, ii. 734. [2] Reg. St. Andrew's, Newcastle-on-Tyne. [3] Table pedigree. [4] Reg. St. Pancras'. [5] Table pedigree. [6] Reg. St. Pancras'. [7] Table pedigree. [8] Reg. St. Pancras' (Churchyard Day-book). [9] Table pedigree. [10] Reg. St. Pancras'. [11] Table pedigree. [12] Reg. of St. Marylebone. [13] M. I. there, No. 9816. [14] Reg. of the R. C. Church of the Holy Trinity and St. George, Kendal.

Sophia Francis Lee,[1] who died 24 May 1895, aged sixty-four; he died 19 September 1907, aged seventy-nine years.[2] By her he had, with other issue, an eldest son, Thomas George Seton-Broadbent, born 22 February 1855, baptized 21 March following,[3] now of the Railway Clearing House Department. He seems to be heir of line of the house of Seton, and but for the attainder of Sir George Seton of Garleton, third Baronet, would apparently be entitled to claim the barony of Seton, provided that no representative is in existence of Mary, third daughter of Sir George Seton of Garleton, second Baronet, and wife of John Arrat of Fofarty (*vide infra*).

(ii) *Robert*, born about the year 1758; died a minor and unmarried.[4] He was buried at St. Pancras Church 22 April 1778.[5]

(iii) *Barbara*, who was married to Thomas Douglas, Esq. She died *s.p.* in 1784.[6]

(3) *Robert*, born about the year 1669. He was educated at the Scots College at Douai,[7] took holy orders, and became a member of the Society of Jesus at Toulouse, 7 September 1688. He joined the Society's Scottish mission apparently about 1696, was stationed on Deeside from 1697 onwards, and was at the College of Aboyne in 1729. He died on Deeside of a violent fever 6 February 1732. He is reported to have been singularly pious and devoted to duty.[8]

(4) *Alexander*, who was apprenticed to John Jolly, merchant, 9 May 1688,[9] and died unmarried before 12 January 1705.[10]

(5) *Christopher*, and

(6) *Charles*, who both died young and unmarried before 6 December 1694.[11]

(7) *Margaret*, 'who, after four years bred in a Nunrie in Paris, dyed in France a young woman.'

(8) *Christian*, who was alive in 1687.

(9) *Elizabeth*, and

(10) *Isobell*, who both died young.[12]

Sir George Seton of Garleton, second Baronet, was born about the year 1665. He was educated at the Scots College at Douai.[13] He succeeded his father in February

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[1] Reg. of St. Matthew's, City Road. [2] M. I. (Old) London Cemetery, Highgate, No. 31,476. [3] Reg. of St. Matthew's. [4] Table pedigree. [5] Reg. St. Pancras'. [6] Table pedigree. [7] *Rec. Scots Coll.*, *supra cit.*, i. 56. [8] Abstract of the evidence in the service of the Earl of Eglinton to the fourth Earl of Winton, 1840, 38, 39; Foley, *Records*, vii., Part ii., 700, cited by Monsignor Seton in *An Old Family etc.*, 232, 233. [9] Edin. Guild Reg., v. [10] *Reg. of Deeds*, xcvi., 26 February 1705. [11] *K.*, 87; *Reg. of Deeds*, lxxix., 27 September 1695. [12] *K.*, 87, 89. [13] *Rec. Scots Coll.*, i. 53.

1686, and on 13 October following was served heir to him in Athelstaneford, Gairmiltoun-Noble and other lands in the Constabulary of Haddington.[1] He died before 22 March 1720.[2]

He married (contract 27 April 1686, tocher £10,000 Scots) Barbara, daughter of Andrew Wauchope of Niddrie Marischall, co. Edinburgh. On 11 May 1705 she obtained a divorce from him.[3] She died in November 1730.[4] By her he had issue:[5]—

i. GEORGE, who succeeded as third Baronet; of him below.

ii. *James*, who served as a lieutenant in Colonel Keith's regiment;[6] thereafter lived in France, and died without issue before 1 December 1769.[7]

iii. *John*, born 9 November 1695. He was educated at Douai, took holy orders, joined the Scots College at Madrid in 1715, and became a member of the Society of Jesus there 20 September 1718. He became attached to the Society's Scottish mission in July 1725, and died in Edinburgh 16 July 1757.[8]

iv. *Andrew*, born about the year 1700. He was educated at Douai, joined the Scots College at Madrid in 1715, and afterwards took military service.[9] He served in Ireland's (previously Wauchope's) regiment, and died without issue at Camp Randasso, Sicily, 10 October 1719.[10] His brother John was served heir of provision to him 30 May 1723.[11]

v. *Margaret*, who died unmarried in June 1730.[12]

vi. *Barbara*, who was nominated joint executrix with her younger sister in her mother's latter will.[13] On 13 December 1734 she had a liferent bond of £30 sterling per annum from Andrew Wauchope of Niddrie.[14] She died without issue before 1 December 1769.[15]

vii. *Mary*, named in her mother's will joint executrix with her sister Barbara. On 1 December 1769 she was served nearest and lawful heir to Sir George Seton of Garleton (third Baronet), her brother-german.[16] She was married (contract dated 6 March 1733) to John Arrat of Fofarty, co. Forfar,[17] and had a daughter who is said to have been twice married and to have had a son alive and aged twelve in 1783,[18] but whose subsequent history is unknown.

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[1] *Retours, Inq. Spec. Haddington* (356). [2] *P. R. S.*, Edin. etc., xci., 2 May 1720. [3] *Commissariot of Edin., Consistorial Dec.*, i. 601. [4] Test. confd. Edin., 25 April 1733. [5] *Reg. of Deeds*, cxv., 18 August 1721. [6] *Ibid.*, clviii., 7 July 1720. [7] *Vide infra*, retour of his youngest sister. [8] *Rec. Scots Coll.*, i. 67, 199. [9] *Ibid.*, 67, 200. [10] Attestation by his brother officers, dated 20 January 1721, cited in Abstract of Evidence etc., *supra cit.*, 31. [11] *Reg. of Retours*, lviii., p. 759. [12] Test. confd. Edin., 25 April 1733. [13] Test., *supra cit.* [14] Niddrie Charter-chest, cited in *Hist. of the Fam. of Wauchope etc.*, priv. printed, Edin., 1858, 76. [15] *Vide infra*, retour of her younger sister. [16] *Reg. of Retours*, lxxix. fol. 158. [17] *Gen. Reg. Sasines*, cxliii. 47. [18] *Fam. of S.*, ii. 1021.

Sir George Seton of Garleton, third Baronet, was born about the year 1685. He was for a time at the Scots College at Douai, but returned to Scotland 18 April 1698.[1] He joined the insurgents in 1715, was taken prisoner at Preston 14 October,[2] and attainted in the following year.[3] He afterwards lived on the Continent. After 19 December 1749 he was commonly known by the title of Earl of Winton, to which he would have then succeeded but for the fifth Earl's attainder and his own.[4] He was living in Paris in December 1750, and at Versailles about two years thereafter.[5] He died unmarried at Versailles 9 March 1769, in the eighty-fourth year of his age.[6]

15. *Robert*, born 10 November 1641,[7] and educated at Douai,[8] was created a Baronet, under the style of Robert Seton of Windygoul, 24 January 1671.[9] He died without issue, in November 1671, when his three surviving sisters were decerned to administer jointly to his estate.[10] Sir John Seton of Garleton, his immediate elder brother, was served heir to him 20 February 1672.[11] He was buried in Seton Church.[12] He is said to have left 30,000 merks to the Scots College at Douai;[13] but this bequest, if made, must have been arranged privately.
16. *Ann*, died young.[14]
17. *Sophia*, born 2 February 1630,[15] died young.[16]
18. *Isobell*, married (contract 25 March 1640[17]) to Francis, (sixth) Lord Sempill, and was alive and his widow in 1687. He died a young man,[18] 3 November 1644.[19]
19. *Ann*, born 30 September 1634;[20] married at Winton in April 1654,[21] as second wife, to John, Lord Lintoun, afterwards second Earl of Traquair, and had issue. He died in April 1666.[22] She survived him.[23]

[1] *Rec. Scots Coll.*, i. 64. [2] *History of the Rebellion etc.*, by the Rev. Mr. Peter Rae, 2nd ed., 1746, 325. [3] *Complete Baronetage*, iii. 350. [4] Service of Mrs. Arrat, *supra cit.* [5] *Fam. of S.*, ii. 739. [6] *Scots Mag.*, xxxi. 223. [7] Tranent Reg. [8] *Rec. Scots Coll.*, i. 43. [9] *Reg. Mag. Sig.*, lib. lxii. No. 286. [10] Test. confd. Edin., 7 April 1673. In *Rec. Scots Coll.*, *loc. cit.*, the date of his death is erroneously given as 24 November 1673, o.s. [11] *Retours, Inq. Gen.* (5496). [12] *K.*, 78. [13] *Rec. Scots Coll.*, *loc. cit.* [14] *K.*, 79. [15] Tranent Reg. [16] *K.*, 79. [17] *Reg. of Deeds*, Dal., xxv. 5 March 1669. [18] *K.*, 79. [19] Douglas's *Peerage*, 2nd ed., ii. 415. [20] Tranent Reg. [21] *Diary of John Lamont of Newton*, Edin., 1810, 85. [22] Douglas's *Peerage*, 2nd ed., ii. 600. [23] Lauderdale Papers, Brit. Mus. Addl. mss. 23,124, f. 133.

20. *Jean*, born 26 January 1636,[1] died unmarried.[2] Her testament was confirmed 17 June 1661.[3]

21. *Mary*, married, 10 December 1676,[4] with issue, to James, (fourth) Earl of Carnwath,[5] who died 1688.[6] She died 15 January 1698, and was buried at Holyrood.[7]

IX. George, ninth Lord Seton and fourth Earl of Winton was born 4 May 1642,[8] and succeeded his grandfather 17 December 1650. On 12 May 1653 he was served heir-male to him in the Haddingtonshire properties (including the barony of Hailes), and lands in other counties;[9] and on 28 September 1655 he was served heir to him in certain lands in Banff, Elgin and Forres.[10] He was fined £2000 sterling by Cromwell's so-called Act of Grace and Pardon, 12 April 1654; the amount was afterwards reduced to £800.[11] He was bred a Protestant by his uncle and tutor Alexander, first Viscount Kingston.[12] He finished his education in France. His uncle states that in 1666 he was ordered to take command of the county force and join General Dalzell in his advance against the rebels in the Pentland Hills.[13] A year or two later he seems to have been again in France, for he is said to have served with distinction at the siege of Besançon[14] in February 1668, probably as a volunteer under Condé. He had commission, dated 2 December 1669, to be colonel of a regiment of militia appointed by Parliament to be raised in the shires of Linlithgow and Peebles.[15] He held this command until a successor was appointed[16] on his receiving commission, dated 8 January 1675, to be colonel of the Militia regiment of Foot in East Lothian. On the same day King Charles II. addressed the Privy Council of Scotland, requiring them to admit George, Earl of Winton as one of their number.[17] His name was accordingly included in a new commission on 12 July 1676.[18] In 1679 he 'went with his regiment upon his own charges, with all his vassals in noble equipage' to Bothwell Bridge,

[1] Tranent Reg. [2] *K.*, 79. [3] Reg. of Testaments, Edin. [4] Pencaitland Reg. [5] *K.*, 79. [6] Test. confd. Edin., 4 December 1701. [7] Funeral Entry, Lyon Office. [8] Tranent Reg. [9] *Retours, Inq. Spec. Haddington* (232, 233). [10] *Ibid.*, *Banff* (103). [11] *Acta Parl. Scot.*, vi. part ii., 820*a*, 846*a*, *b*. [12] Lauderdale Papers, *supra cit.*, f. 36. [13] *K.*, 88. [14] Nisbet's *Heraldry*, ed. 1804, i. 235. [15] *Laing Hist. Papers*, Lib. Univ. Edin., Div. i., No. 30. [16] *Cal. S. P. Dom.*, 1673-75, 592. [17] *Ibid.*, 523. [18] *Ibid.*, 1676-77, 222.

against the West Country rebels.[1] He was saved along with H.R.H. the Duke of York when the *Gloucester* frigate, bound for Leith, which had the Prince and his suite on board, was wrecked with great loss of life off Yarmouth, 6 May 1682.[2] On 1 April 1683 he was appointed Sheriff of East Lothian.[3] He served with his regiment 'upon his own expense with his vassalls' under the Earl of Dumbarton during Argyle's rebellion in 1685, and is said to have succeeded the latter as Great Master of the Household in Scotland the same year.[4] On 31 July 1686 he had a charter of novodamus and new erection of his dignities, with remainder to the heirs-male of his body, whom failing, to any person he should name with the like remainder, and failing such nomination, to his heirs-male, failing whom, to his nearest heirs and assignees, the eldest daughter always succeeding without division, etc.[5] He built the harbour called Port Seton at Cockenzie.[6] He died 6 March 1704,[7] and was buried at Seton; but his remains were exhumed by order of his son the fifth Earl, and reinterred with great pomp beside those of his second wife in the Collegiate Church of Seton, 18 December 1708.[8]

George, fourth Earl of Winton, married first, 4 September 1662,[9] his kinswoman Mary Montgomerie, eldest daughter of the second marriage of Hugh, seventh Earl of Eglinton.[10] She died in 1677.[11] They had issue an only daughter:—

1. *Mary*, baptized 24 November 1666;[12] died at the age of three years.[13]

He married secondly, in or before 1682, Christian, daughter and heir of George Hepburne, of Addinstoun *jure uxoris* (a younger son of John Hepburne of Eistcraig), by Margaret, daughter and heir of Robert Addinstoun of that Ilk (par. Tranent).[14] The Earl had lived with Christian Hepburne for some years before their marriage,[15] which was called in

[1] *K., loc. cit.* [2] Sir John Lauder of Fountainhall, *Historical Observes*, Bann. Club, 1840, 68; *The Royal Navy*, by W. Laird Clowes, 1898, ii. 457. It was on this occasion that, according to tradition, H.R.H. gave the order to 'save the dogs—and Colonel Churchill!' [3] *Reg. Mag. Sig.*, lib. x. No. 327. [4] *K.*, 88, 89. [5] *Reg. Mag. Sig.*, lib. lxxi. No. 94. [6] *K.*, 89. [7] Nisbet's *Heraldry*, i. 235. [8] Lyon Office, Fun. Esc., 13, 103. [9] Lamont's *Diary*, 194. [10] *K.*, 89; *Mems. of the Montgomeries*, i. 95. [11] Test. confd. Edin., 18 June 1678. [12] Canongate Reg. [13] *K.*, 89. [14] Nisbet's *Geneal. Coll.*, Adv. Lib. MS. 34.3.5, p. 49. [15] Sir George Mackenzie, Brit. Mus. Addl. MSS. 12,464, p. 188; Sir John Lauder of Fountainhall's *Decisions*, 1761, ii. 580.

question long afterwards at the instance of Archibald, second Viscount Kingston, the next heir to the honours of Winton,[1] but without success.[2] She died 18 November 1703, and was buried at Seton Church.[3] The issue of the second marriage was:—

2. GEORGE, who succeeded as fifth Earl of Winton; of him below.
3. *Mr. Christopher*, who died unmarried at Seton, 5 January 1705.[4]

X. GEORGE, tenth Lord Seton and fifth Earl of Winton, was born about 1678[5] out of wedlock, but was legitimated *per subsequens matrimonium.* On 4 July 1710 he was served heir-general to his father before a jury composed of six Peers, the Lord President, the Lord Justice-Clerk and seven other judges of the Court of Session, who found that he was 'only surviving lawful son of the deceased George, Earl of Winton, by the deceased Christian, Countess of Winton, his spouse.'[6] He succeeded his father 6 March 1704. He was then at Rome,[7] but his friends did not know where he was till a considerable time afterwards.[8] He had gone abroad in June 1700; he did not return till 1 November 1707.[9] During his absence he is said to have worked for some time as a journeyman blacksmith in France.[10] He seems to have been looked upon by his contemporaries as eccentric, and mentally somewhat deficient, but spirited, courageous and determined.[11] He was a zealous Protestant,[12] but being, nevertheless, suspected of Jacobite views, he was summoned to Edinburgh in September 1715, and failing to appear was declared a rebel, and shortly afterwards sentenced in absence to escheat, a fine of £500 sterling, and imprisonment for a year.[13] Information reached the Government that he had

[1] Summons of Declarator dated 23 May 1710, at Duns Castle, cited in Abst. of Evidence etc., *supra cit.*, p. 19. [2] The action was dropped after 4 July 1710, *vide infra.* [3] Nisbet's *Heraldry*, i. 235. [4] Robert Milne, Adv. Lib. MS. 34.6.12, p. 509; Nisbet's *Heraldry*, i. 235. [5] *Complete Peerage*, viii. 193. [6] *Reg. of Retours*, liii. 495. [7] *Memoirs of the Secret Services of John Macky, Esq.*, 1733, 252. [8] Fountainhall's *Decisions*, ii. 676. [9] Nisbet's *Heraldry*, *loc. cit.*; Fountainhall's *Decisions*, ii. 391. [10] *Stories of Old Families*, by W. Chambers, LL.D., Edin., 1878, 14. [11] *Fam. of S.*, i. 267, 268. [12] Macky's *Mem.*, *loc. cit.*; Howell's *State Trials*, 1812, xv. 895. [13] Books of Adjournal, 15 September 1715.

ordered his vassals and tenants to assemble at Pinkie Park Dyke on the night of 16 September, when arms and ammunition were to be served out to them.[1] On 7 or 8 October following the Earl left Seton with fourteen or fifteen armed and mounted servants and joined the rebel force at Moffat on 11 October. Thereafter he was in command of a squadron of horse, one troop of which seems to have been composed partly of his servants, and partly of 'domestic gentlemen.'[2] A further body of insurgents had marched southwards from Seton on 19 October.[3] He opposed the advance of the rebels into England, and actually left them for a time, but rejoined, and was taken prisoner at Preston 14 November 1715.[4] He was committed to the Tower of London, arraigned of high treason 15 March 1716 (when he pleaded not guilty), convicted next day, and sentenced to death 19 March.[5] The conviction entailed forfeiture and attainder. He was reprieved from time to time, and at last made his escape (probably with the connivance of the Government[6]) 4 August 1716.[7] He made his way to France, and seems to have finally settled at Rome. He was there in March 1736, when he was received as a Master-Mason at a Freemason's Lodge, preparatory to his election as 'Great Master' in the following month.[8] He seems to have been a member of the Pretender's cabinet about 1740.[9] He died, unmarried, at Rome, 19 December 1749, aged about seventy,[10] and was buried there in the place set apart for the interment of Protestants.[11]

A claimant to the representation of the house of Seton appeared in Edinburgh on 1 May 1824 in the person of George Seton, saddler, a resident of Bellingham, co. Northumberland, who is said to have borne a striking resemblance to the portrait of Robert, seventh Lord Seton

[1] *S. P., Scotland*, Series ii. Bundle 8, No. 71. [2] *State Trials*, xv. 834, 838, 841. [3] *S. P., Scot.*, Ser. ii., Bundle 9, No. 58. [4] Rae's *History*, 271, 278, 325. [5] *State Trials*, xv. 805-898. [6] Lord Campbell's *Lives of the Chancellors*, second series, 1846, iv. 367. [7] Patten's *History of the Rebellion*, London, 1717, 130. [8] *Scot. Nat. Memorials*, by James Paton, Glasgow, 1890, 253; *Gentlemen's Mag.*, new ser., xxxix. 380, *note.* [9] *Memoirs of the Reign of George II.*, by Horace, fourth Earl of Orford, 1822, i. 252; *Dict. Nat. Biog.*, lix. 171. [10] *Scots Mag.*, xii. 54. [11] *Caledonian Mercury*, 16 January 1750.

(*sic*).[1] He represented himself as descended from a marriage which he alleged took place between George, fifth Earl of Winton and Margaret M'Klear,[2] daughter of a physician in Edinburgh, about the year 1710; and there seem to have been probable grounds for believing that he was really a descendant of the attainted Earl, but the marriage was not proved.[3] Nevertheless George Seton was served nearest and lawful heir-male in general to George, fourth Earl of Winton, 'his great-great-grandfather,' before Mr. Alexander MacDougall, a bailie of the Canongate, 25 July 1825.[4] But a suit for the reduction of the service was promptly raised by the tutors of Archibald, Earl of Eglinton, then a minor; the claimant was found to be unable to prove the marriage of the fifth Earl of Winton; and the service was reduced and annulled by the Court of Session, 7 July 1826.[5]

It has been said that two daughters of the attainted Earl, named Lilias and Mary, were sheltered during his exile by the Cathcarts of Killochan, co. Ayr, and ultimately buried, at their own desire, in Old Dailly Churchyard;[6] but no evidence of the truth of this statement is now obtainable.

Creation.—Lord Seton, probably about 1445; Earl of Winton, 16 November 1600.

Arms (not recorded in the Lyon Register).—Sir Alexander de Seton bore on his seal in 1261 three crescents, with a label of five points in chief[7] without a tressure, though the latter is said to occur on seals of the family so early as *circâ* 1230.[8] In 1337 the seal of Sir Alexander has the three crescents within the double tressure.[9] George, second Lord Seton bore quarterly: 1st and 4th, three crescents without the tressure, 2nd and 3rd, three garbs for *Comyn*.[10] The first Earl of Winton bore the same coat,

[1] *Durham Advertiser*, 2 October 1824. The allusion is probably to the well-known portrait, by Sir Antonio More, of George, formerly numbered seventh, but properly fifth Lord Seton. [2] Her surname is given as St. Clair in the *Durham Advertiser*, *loc. cit.* [3] Chambers, *op. supra cit.*, 17, 18. [4] *Reg. of Retours*, cxxiii. 253. [5] *Acts and Decreets*, cxi. 252. [6] *Inscriptions on Tombstones of the Covenanters*, by James Gibson, Glasgow, N.D., 201. [7] Macdonald's *Armorial Seals*, No. 2423. [8] See *ante*, p. 564, *note* 5. [9] Macdonald's *Armorial Seals*, No. 2425. [10] *Ibid.*, 2430.

but on one seal the 1st and 4th quarters have the tressure, while on another the tressure surrounds the four quarters.[1] Sir David Lindsay blazons the arms of Lord Seton as 1st and 4th, or, three crescents within a royal tressure gules; 2nd and 3rd, azure, three garbs or. This is followed by the Workman MS.[2] with the addition of an escutcheon of pretence azure, charged with a star of sixteen points or. In Pont's MS. (*circâ* 1630) the escutcheon of pretence is also charged with a royal tressure. In 1704, at the funeral of the fourth Earl, this escutcheon was displayed impaled, the star occupying the sinister impalement, while that on the dexter was gules, a sword paleways proper, belted and pommelled or, supporting an imperial crown within a double tressure of the last.[3]

CREST.—The *Armorial de Getre* gives an antelope's (or perhaps a goat's) head ermine for the Seton crest, and William de Seton in 1384 bore a ram's head on his seal.[4] The second Lord Seton bore two spears erect on a chapeau.[5] Later, the crest became a dragon vert spouting fire, wings elevated, charged with a star or (sometimes argent).

SUPPORTERS.—The second Lord Seton bore two lions rampant guardant: but the ordinary supporters were two mertricks (or foxes) collared and chained or, the collars charged with three crescents gules.

MOTTOES.—Nisbet says that the old motto of the family was *Invia virtuti via nulla*,[6] and places it in the compartment below the shield. Across the supporters was placed a scroll with the following quotation from Horace,[7] *Intaminatis fulget honoribus*. But what was probably the oldest, as it was certainly the most characteristic motto of all, was the one in the venacular, *Hazard yet forward*, or sometimes in a shortened form, *Yet forward*.

[R. E. B.]

THE END

[1] Macdonald's *Armorial Seals*, Nos. 2435, 2436. [2] Advocates' Library.
[3] Nisbet's *Heraldry*, i. 240. [4] Macdonald's *Armorial Seals*, No. 2427.
[5] *Ibid.*, 2430. [6] Ovid, *Met.*, xiv. 113. [7] *Carm.*, iii. 2, 18.

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